

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**RSA No.1046 of 2014
Date of Decision: 04.05.2015**

Dharam Pal Sharma

.....Appellant

Versus

Director, Archives Department and another

..... Respondents

CORAM : HON'BLE MS.JUSTICE RITU BAHRI

Present: Mr. Saurabh Arora, Advocate
for the appellant.

RITU BAHRI, J. (Oral)

The plaintiff has come up with the Regular Second Appeal challenging the judgment and decree passed by Lower Court. His suit is for declaration to the effect that he was entitled to the fixation of his initial pay when he joined the service and grant of his 1st and 2nd ACP by counting his temporary service before regularization, which has been dismissed.

The plaintiff had been appointed as Binder on 18.01.1983. He was selected on 10.12.1982 and as per his appointment letter, he was placed in the scale of Rs.350-500. After a gap of 20 years, the present suit was filed on 08.08.2009. The plaintiff is seeking correction of his initial pay scale to the scale of Rs.400-600. His plaint for regularization in the scale of Rs.400-600 has been rejected by both the Courts, in view of the fact that he had attempted his claim after a lapse of 20 years and once he has accepted his appointment letter Ex.P8 in the scale of Rs.350-500, 20 years back at the time of his initial appointment. With regard to the second promotion his claim has been rejected on the ground that after the services were

regularized w.e.f. 01.11.1986, he has granted benefit of 1st ACP on 01.11.1986 and 2nd ACP on 01.11.2006 after counting his regular service. The period of service rendered by an employee on adhoc basis cannot be held to be regular service nor it can be tagged with on to the later service for earning benefits, in view of the judgment *State of Haryana and others Vs. Haryana Veterinary and AHTS Associations and others, 2000(B) SCC 4*.

No other substantial question of law arises and hence the RSA is dismissed.

May 04, 2015
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(RITU BAHRI)
JUDGE