

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

Civil Writ Petition No.14448 of 2017

Date of decision: 07.07.2017

Shyam Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. K.L.Dhingra, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks direction that his deputation/contract period with effect from 1.7.2009 to 31.3.2015 be counted as service qualifying for all intents and purposes and consequential benefit for the purpose of grant of regular increments, ACP and other admissible service benefits at par with his juniors in the cadre of Lab. Technicians.

It is his case that he was initially appointed on 21.1.1987 as Lab. Technician and respondent no.2 had appointed him as Epidemiologist as per communication dated 11.11.2009 (Annexure P/2) in the office of Civil Surgeon, Sonapat under NRHL-IDSP Scheme which was for a period of two years initially. It is further the case of the petitioner that the period was extended time and again and he continued till order dated 18.3.2015 (Annexure P/6) was passed whereby he was adjusted as Lab. Technician in the Civil Hospital, Sonapat. Resultantly, he filed representation dated 11.1.2016 (Annexure P/9) that the benefit of notional increments for the said period be granted and his 3rd ACP is also pending. Similar representations dated 24.6.2016 and 8.2.2017 have also been filed which

are appended as Annexures P/11 and P/12 respectively. It is thus his case that the same are still pending consideration.

Counsel for the petitioner submits that vide communication dated 18.12.2016 (Annexure P/10) even respondent no.3 has recommended the case to respondent no.2.

Notice of motion.

Ms. Shruti Jain Goyal, Assistant Advocate General, Haryana accepts notice on behalf of respondents. Requisite copies of the writ petition have been supplied to her.

Accordingly, without commenting upon the merits of the case or entitlement of the petitioner as such regarding the relief claimed and keeping in view the recommendation dated 18.12.2016 (Annexure P/10) the present writ petition is disposed of with a direction to respondent no.2 to take into consideration the said representations (Annexures P/9, P/11 and P/12) and take a decision within a period of two months from the date of receipt of a certified copy of this order. It is made clear that in case the petitioner is held entitled for the necessary relief, the same shall be disbursed expeditiously thereafter. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and copy thereof be communicated to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

July 07, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No