

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

CWP No. 22550-2015

Date of decision : 19.07.2018

Sher Mohammad

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: None for the petitioners.

Mr. Hitesh Pandit, Addl. A.G. Haryana

RITU BAHRI, J. (Oral)

In the instant writ petition, the petitioner is seeking quashing of impugned order dated 10.07.2015 (Anneuxre P-3) passed by respondent No. 3 whereby the claim of the petitioner for granting 2nd ACP has been rejected.

On notice, a written statement has been filed by respondent Nos. 1 to 3 stating therein that the petitioner was appointed as Driver on contractual basis on 30.05.1987 through Employment Exchange and his services were regularized w.e.f 27.01.1988 vide order dated 25.09.2003. But in view of directions dated 28.02.1991, the services of the petitioner were again regularized w.e.f 01.01.1991 after completion of 02 years of service. The length of service of the petitioner was 20 years, 10 months and 03 days without deducting the non-qualifying period. He was released pension through PPO No. 11123173631736. But the petitioner is not entitled for grant of 2nd ACP, as he did not fulfill the terms and conditions of eligibility as prescribed under the ACP rules because of non-qualifying period in

service of the petitioner. The petitioner was entitled for 2nd ACP w.e.f 14.08.2014 but he is already retired on 31.12.2011 after attaining the age of 58 years.

The petitioner has not filed any replication to the reply filed by respondent No. 1 to 3 and thus he was rightly not held entitled for grant of 2nd ACP.

No merits.

Dismissed.

(RITU BAHRI)
JUDGE

19.07.2018
G Arora

Whether speaking/reasoned	Yes
Whether reportable	No