

CWP-19557-2018

Date of decision: 07.08.2018

Chander Bhan Sharma and others

...Petitioners

V/s.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI.

Present: Mr. Vikas Chatrath, Advocate for the petitioners.

RITU BAHRI, J. (Oral).

By this petition, petitioners are seeking writ of mandamus directing the respondents to count the period of contractual service of the petitioners followed by regularization towards seniority, increments, ACP's including pension etc.

Learned counsel for the petitioners has referred to judgment of this Court in the case of *Hanumant Singh and others V/s. State of Haryana and others 2008(4) S.C.T. 427* in which Division Bench had examined the provisions of the Haryana Government Employees (Assured Career Progression) Rules, 1998 on the question whether adhoc service could be taken into account for grant of ACP scale/grant of additional increments/benefit of higher standard pay scale after completion of 8/18 years of service. In para 22 of this judgment, the questions answered in favour of the petitioners are as under:-

“(a) ah hoc/work charged service followed by regular service shall not be counted for the purposes of grant of higher pay scale/benefit of Assured Career Progression Scheme on completion of 8/18 or 10/20 years of service.

(b) Ad hoc/work charged service followed by regular service shall be counted for the purposes of grant of additional increment in the running scale on completion of 10/20 or 8/18 years of service.

(c) Ad hoc service followed by regular service shall be counted for the purposes of pension and seniority.”

The SLP filed against this judgment has been dismissed by the Supreme Court on 10.05.2018.

In the present case, the petitioners are seeking writ of mandamus directing respondents to count the period of contractual service followed by regularization towards seniority, increments, ACP's including pension etc. keeping in view the judgment passed in the case of ***Hanumant Singh (supra)***.

This petition is being disposed of by giving opportunity to the petitioners to make detailed representation with regard to grant of benefits of contractual employment as per the ratio of the above said judgment as reflected in para 22. The petitioners will make a representation within one month and the same will be decided by the respondents within four months keeping in view the above said judgment.

07.08.2018

Divyanshi

**(RITU BAHRI)
JUDGE**

Whether speaking/reasoned
Whether reportable

:
:

Yes/No
Yes/No