

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

**CWP No.28577 of 2018 (O&M)
Date of decision: 13.11.2018**

Asha Sharma and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

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

Ritu Bahri, J.

Petitioners are seeking direction to the respondents to count the period of their contractual service, which has been followed by regularization, towards seniority, increments, ACPs, including pension etc.

Pursuant to the advertisement dated 19.08.1997 (Annexure P-1), petitioners were subjected to interview along with other candidates, before a duly constituted Selection Committee. Ultimately, they were appointed on contractual basis on consolidated salary of Rs.3500/- per month. Thereafter, they continued to work and finally, their services were regularized w.e.f. 01.10.2003.

Their grievance is that their past service is not being counted towards seniority, increments, ACPs etc.

Learned counsel for the petitioners has referred to the judgment passed in **Hanumant Singh and others vs. State of Haryana and others,**

2008 (4) SCT 427, wherein a Division Bench of this Court 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 of pay scale after completion of 8/18 years of service. In para 22 of the said judgment, it has been observed as under:-

“(a) Ad hoc/work charged service followed by regular service shall not be counted for the purpose 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 purpose 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 purpose of pension and seniority.

SLP against the said judgment has been dismissed by Hon'ble the Supreme Court on 10.05.2018.

In the present case, petitioners are seeking direction to the 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 **Hanumant Singh's** case (supra).

This petition is being disposed of by giving opportunity to the petitioners to make a detailed representation with regard to grant of benefits of contractual employment as per the judgment passed in **Hanumant**

Singh's case (supra). The representation will be made by the petitioners within a period of one month from the date of receipt of certified copy of this order. The said representation will be decided by the respondents within four months keeping in view the above said judgment.

13.11.2018
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No