

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

**CWP No. 38058-2018
Date of decision : 21.12.2018**

Nirmal Sharma and othersPetitioners

versus

State of Haryana and anr. ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Sameer Sachdeva, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

In the present writ petition, petitioners are seeking directions to the respondents to grant the benefit of ad-hoc service towards seniority to the petitioners with all consequential benefits with interest in view of the authoritative settled decision dated 09.09.2010(Annexure P-3) and 13.10.2011 in LPA (Annexure P-4) and further upheld by Hon'ble the Supreme Court in Civil Appeal No. 321/2015, decided on 10.05.2018 (Annexure P-5A).

Learned counsel for the petitioners submits that petitioners were duly appointed as lecturers in Govt. Colleges in the State of Haryana through proper channel against a duly sanctioned/vacant post in the respondent/Department which were filled on ad-hoc basis through public notices, advertisement and requisitions through employment exchange after following due procedure of law. After continuity in service all the petitioners were regularized and confirmed on the said post and were granted promotions from time to time and presently serving in the capacity as Associate Professor with the respondents. The detail of their appointment is mentioned in para No. 2 of the

petition.

The petitioners are now seeking benefit of the judgment passed in the case of *Dr.Surindra Kumar Mishra and others Vs. State of Haryana and another passed in CWP No.8604 of 2007 (Annexure P3)* which was upheld by the Division Bench of this Court in LPA No.886 of 2011 titled as *State of Haryana and others Vs. Surindra Kumar Mishra and others (Annexure P-4)*, wherein, it has been held that if a person is appointed on ad-hoc basis after regular procedure of selection and thereafter he is regularized, then that period is to be counted towards seniority. The petitioners have moved legal notice dated 18.07.2018 (Annexure P-5) to the respondents but no action has been taken in this regard.

Keeping in view the judgments Annexure P-3 and Annexure P-4, the present writ petition is disposed of by giving directions to the respondents to look into the legal notice dated 18.07.2018 (Annexure P-5) and pass appropriate orders within a period of three months from the date of receipt of certified copy of the order.

December 21, 2018
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No