

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

(141)

CWP-323-2019

Date of Decision: January 10, 2019

Subhash Chander Garg and others

..Petitioners

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

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

HARSIMRAN SINGH SETHI, J.(ORAL)

Learned counsel for the petitioners states that the petitioners were appointed as a Lecturer in Government college(s) under the State of Haryana after following the due procedure of law as envisaged under the Rules and the appointment as well as the selection was done by the competent authority against the regular sanctioned post. He further contends that only the adhoc appointment was given instead of regular appointment though, all the procedure required for the regular selection was followed at the time of their initial appointment. He further contends that all the petitioners continued working uninterruptedly till the regularization of their services and therefore, in view of the law laid down by the Hon'ble Supreme Court of India in **Direct Recruit Class-II Engineering Officers Association and others Vs. State of Maharashtra and others, AIR 1990 Supreme Court 1607**, the petitioners are entitled for counting their adhoc service for fixing their seniority.

Learned counsel for the petitioners further relies upon the order passed by this Court in CWP No.17147 of 2018 decided on 07.09.2018 as

well as CWP No.33497 of 2018 decided on 19.12.2018 (Annexure P-7) (Colly) to pray that at this stage, the petitioners will be satisfied in case a time bound direction is given to the respondents to decide their legal notice dated 18.07.2018 (Annexure P-5).

Without commenting upon the merits of the case or about the entitlement of the petitioners for the relief which has been claimed by them in the legal notice dated 18.07.2018 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the legal notice dated 18.07.2018 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

This Court does not expresses any opinion on merits of the claim or the claim being made in the present writ petition, at this stage.

January 10, 2019
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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