

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

**CWP No. 3295-2019
Date of decision : 06.02.2019**

Raj Singh Malik and othersPetitioners

versus

State of Haryana and others ...Respondent

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.K. Malik, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Petitioners are seeking direction to the respondents to grant the Higher Standard Pay Scale of Rs.2000-3200 and Rs.2000-3500 on completion of 10 & 20 years of service as notified vide Finance Department vide letter dated 08.02.1994 by taking into consideration the ad-hoc period during which the petitioners have served the department and re-fix the pay with all consequential benefits.

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 payscale/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 this regard, petitioner has given legal notice dated 25.11.2018 (P-5) but no action has been taken.

Without expressing any opinion on the merits of the case and keeping in view the above facts, this petition is being disposed of by giving a direction to respondent No. 1 to pass speaking order on the legal notice dated 25.11.2018 (P-5) in accordance with law, keeping in view ***Hanumant Singh's case (supra)*** and notification dated 08.02.1994 (P-2), within a period of six months.

February 06, 2019
G Arora

(RITU BAHRI)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No