

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

LPA No.2270 of 2016 (O&M)
Decided on : 15.01.2019

Municipal Committee, Cheeka

..... Appellant

Versus

Jagdish Singh & others

..... Respondents

**CORAM : HON'BLE MR. JUSTICE AJAY KUMAR MITTAL
HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Deepak Balyan, Advocate
for the appellant.

Mr. R.K.Malik, Sr. Advocate with
Mr. Yogesh Sheoran, Advocate
for the respondent.

Manjari Nehru Kaul, J.

CM-4705-LPA-2016

This is an application filed under Section 5 of the Limitation Act for condonation of delay of 264 days in filing the appeal. The application is duly supported by an affidavit of the officer concerned.

For the reasons mentioned in the application, delay of 264 days in filing the appeal is condoned.

CM stands disposed of.

LPA-2270-2016

In the present appeal challenge has been laid to the order dated 27.01.2016 passed by learned Single Judge in CWP No.4986 of 1994 vide which the benefit of additional increment granted to the respondents w.e.f. 01.07.1992 was upheld with further direction to implement the decision of granting new standard pay scale to the employees, who had completed 10 years of service.

2. Learned counsel for the appellant while laying challenge to the aforesaid order had submitted that learned Single Judge had wrongly adjudicated the issue in favour of the respondent on the basis of judgment of this Court reported as ***Hanumant Singh vs. State of Haryana and others, 2008(4) SCT 427*** where it was held that ad hoc service was as good as work charge service followed by regularization. He further averred that State of Haryana had filed Special Leave Petition challenging the said decision in *Hanumant Singh's case(supra)*. Still further, it was contended that learned Single Judge was in error in view of the law settled by the Apex Court in ***State of Haryana and others vs. Sita Ram and others, 2013(16) SCC 677***.

3. At the very outset, learned counsel for the appellant has very fairly accepted that Special Leave Petition in *Hanumant Singh's case(supra)* has since been dismissed by the Supreme Court. Further, suffice it to notice that the judgment of the Supreme Court in *Sita Ram's case(supra)* being based on its own facts, does not come to the rescue of the appellant.

4. Accordingly, we do not find any substance in the contentions of the appellant and dismiss the present appeal.

(AJAY KUMAR MITTAL)
JUDGE

(MANJARI NEHRU KAUL)
JUDGE

15.01.2019
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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No