

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 112

Civil Writ Petition No.8975 of 2023
Date of Decision: September 20, 2023

Ajit Singh

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Ajit Kumar Sharma, Advocate for Mr. R.D. Yadav,
Advocate for the petitioner.

Mr. Ravinder Singh Budhwar, Addl. AG, Haryana.

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Tribhuvan Dahiya, J. (Oral)

This petition has been filed seeking a writ of *certiorari* quashing the order dated 30.09.2022, Annexure P-3, passed by respondent No.3. Further, a writ of *mandamus* directing the respondents to grant 3rd Assured Career Progression (ACP) scale to the petitioner has been sought.

2. A perusal of the impugned order shows that 3rd ACP scale became due to the petitioner on 01.12.2019. He superannuated from service prior thereto on 31.10.2019 and, therefore, could not have been granted the scale.

3. The contention of learned counsel for the petitioner is that the petitioner's contractual should be considered for giving him due benefit of 3rd ACP.

4. There is no substance in the argument because no such plea

was taken by him at the time of grant of 1st and 2nd ACP scales. Besides, Rule 7 of the HCS (ACP) Rules, 2016, requires only regular service to be counted for grant of financial upgradations.

5. In view thereof, there is no ground to entertain the petition.
6. Dismissed.

(Tribhuvan Dahiya)
Judge

September 20, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>