

CWP No. 25509 of 2016

2023:PHHC:117632

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(209-A)

CWP No. 25509 of 2016

Date of Decision : 06.09.2023

Govind Dass and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Pankaj Mehta, Advocate for the petitioners.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

The claim of the petitioners is that the services rendered by the petitioners with the HSMITC prior to being absorbed in the Department of Revenue, are liable to be taken in account for the grant of ACP.

Learned counsel for the petitioners submits that though, the benefit of service rendered in the HSMITC is being claimed for the retiral benefits as well but as the service rendered in the HSMITC is not pensionable, the said claim is not being pressed.

Learned counsel for the petitioners argues that the question of law whether, the service rendered in the HSMITC can be taken into account for the grant of benefit of ACP, the same has already been considered by a Co-ordinate Bench of this Court while passing order in

CWP No. 21423 of 2014 titled as ***Kalu Ram (Retired Patwari) & others Vs. State of Haryana and others***, decided on 30.05.2016, where the said benefit has already been extended to a similarly situated employee, who was also absorbed in the Revenue Department after his initial service in HSMITC, hence, the claim of the petitioner is squarely covered by the judgment in ***Kalu Ram's case (supra)***.

Learned State counsel concedes the factum that ***Kalu Ram***, who was also working in the HSMITC before being absorbed in the Department of Revenue, has been granted the said benefit by the Co-ordinate Bench of this Court.

Keeping in view the above, the present petition is also allowed in terms of ***Kalu Ram's case (supra)*** only for the purpose of grant of ACP.

September 06, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No