

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(218)

CWP No. 35722 of 2019

Date of Decision : 21.08.2023

Ashok Kumar Yadav

...Petitioner

Versus

State of Haryana and others

...Respondents

***CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI***

Present: None for the petitioner.

Mr. Saurabh Mohunta, Deputy Advocate General, Haryana.

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**Harsimran Singh Sethi J. (Oral)**

1. An affidavit of Joint Director, Higher Education Department, Haryana, Panchkula dated 21.08.2023 has been filed in Court today. The same is taken on record.

2. In the present petition, the grievance of the petitioner is that after the retirement, the pay of the petitioner was wrongly been re-fixed by withdrawing the benefit of ad-hoc service, which could not have been done.

3. As per the affidavit dated 21.08.2023, the following averments have made in paragraphs 4 and 5.

*“4. That earlier the senior scale was granted to the petitioner with effect from 08.10.1996 vide order dated 29.09.1997 in pursuance of the govt. notification dated 08.03.1989. Now in the present writ petition, petitioner*

*claimed for the benefits of adhoc service rendered by him from 02.01.1983 to 07.10.1988 for granting the benefits of senior scale. In this regard, it is submitted that the benefit of adhoc service towards senior/selection grade was extended to concerned teachers by the Govt. vide notification dated 08.12.2000. As the petitioner was not working with Higher Education Department on the said date, the respondent department was not aware about his whereabouts. Even prior to filing the present writ petition, the petitioner never raised the claim regarding adhoc service towards senior scale. However, after considering his case, the answering respondent No. 2 passed order in the favour of petitioner vide memo No. 15/02-2020 C-V (1) dated 06.10.2020 by counting his adhoc service of 8 years towards senior scale as prayed by the petitioner. Accordingly, his pay was fixed and the arrears, accrued thereof, due to revised salary was issued to him vide voucher No. 001022 dated 10.11.2020. The copies of order dated 06.10.2020, pay fixation Performa and the bill are attached as Annexure R-1, R-2 & R-3.*

*5. That the only claim pertaining to Higher Education Department i.e. respondent No. 2 has been settled in view of submissions made in para No. 4 above and nothing remains due qua the answering respondent w.r.t the petitioner.”*

4. Keeping in view the averments made in the affidavit, all the benefits for which the petitioner is entitled for, have already been extended by counting the period of ad-hoc service, which was sought to be withdrawn by the impugned order dated 26.11.2019 (Annexure P-2).

5. Keeping in view the above, no further order is required to be passed. In case the petitioner is still aggrieved and thinks that he is

entitled for any benefit, he will be at liberty to file appropriate representation with the respondents.

6. Petition is disposed of in above terms.

August 21, 2023  
*kanchan*

(HARSIMRAN SINGH SETHI)  
JUDGE

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*