



CWP-15009-2002 (O&M)

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

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CWP-15009-2002 (O&M)
Date of decision: 30.08.2024

Gulab Singh and others

....Petitioners

Versus

State of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioners.

Mr. Tapan Kumar, DAG, Haryana.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is to direct the respondents to count the adhoc service rendered by the petitioners for the purpose of grant of ACP after completion of 10/20 years of regular satisfactory service. In the index of the present petition, reference was made to the pendency of similar case i.e. **Nathu Ram Garg and others vs. State of Haryana and others**, CWP-4881-2002, which has been dismissed vide judgment dated 18.09.2003 by relying upon the judgment of the Hon'ble Supreme Court, the relevant paras whereof read thus:-

“Notice of motion was issued vide order dated March 21, 2002. The State has filed a detailed written statement and has contested the pleas of the petitioners. A preliminary plea has been taken that the Government has clarified vide letter dated 15.3.2002, that the ad hoc service rendered by an employee cannot be counted for the benefit of next higher standard pay scale, copy Annexure R1. Further reliance has been placed upon a judgment of apex Court rendered in re: State of Haryana V. Haryana Veterinary and A. I. H. S. Association and another. J.T. 2000 (10) SC 561. It has been averred that it has been categorically held that ad hoc service rendered by an employee cannot be counted towards the benefit of next higher



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standard pay scale and that the term regular satisfactory service" has been duly interpreted by specifically observing that ad hoc service shall not be included in the aforestated service. Thus, in view of the law laid down by the apex Court, the petition deserves to be dismissed.

It may be noticed that the petitioners have not filed any replication controverting the facts averred in the written statement and so also the question of law having been settled by the apex Court.

After noticing the judgment of the apex Court and perusal of the facts averred before us, we find that the cases of the petitioners are squarely covered by dicta of the apex Court. Resultantly, the petitions are not sustainable and the same are dismissed with no order as to costs.”

- 2. In view of the aforesaid, the present petition is hereby dismissed.
- 3. Pending application, if any, also stands disposed of.

(AMAN CHAUDHARY)
JUDGE

30.08.2024
Hemant

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No