



CWP- 3946 of 2020

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(217) CWP- 3946 of 2020
Date of Decision :09.05.2024

Kavita ...Petitioner

Versus

Haryana Public Service CommissionRespondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: None for the petitioner.

Mr. Kanwal Goyal, Advocate with
Ms. Sheena Dahiya, Advocate and
Mr. Samranjit Singh, Advocate for the respondent.

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Harsimran Singh Sethi, J. (Oral)

1. In the present petition, the claim of the petitioner that the ad-hoc service rendered by the petitioner followed by regularization should be treated as a service for the purpose of grant of the seniority of the petitioner as well as for the grant of other service benefits under the Assured Career Progression Scheme.
2. Learned counsel for the respondents submits that the claim of the petitioner for taking into consideration the ad-hoc service for the grant of benefit of seniority as well as for the grant of benefit under the Assured Career Progression Scheme is not permissible as the seniority can only be given from the date of regular appointment and for the purpose of grant of



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benefit under the Assured Career Progression Scheme only the regular service can be taken into account, which is clear from the rules governing the service on the said aspect.

3. I have heard learned counsel for the respondent and have gone through the record with their able assistance.

4. While deciding **CWP-14348-2015, titled as, Anu vs. State of Haryana and others, decided on 09.07.2018**, which was filed by the petitioner, a benefit has been given to the petitioner that despite the regularization of her service after 01.01.2006, she will be treated under the Old Pension Scheme keeping in view the judgment of the Division Bench of this Court in **CWP-2371-2010, titled as, Harbans Lal vs. State of Punjab and others, decided on 31.08.2010**.

5. The claim of the petitioner that the said adhoc service should also be taken into account for counting her seniority and for the grant of benefit under the Assured Career Progression Scheme cannot be done keeping in view the settled principle of law settled by the Hon'ble Supreme Court of India while passing order in **Civil Appeal No.6026-6028-2021 titled as Malook Singh and others vs. State of Punjab and others, decided on 28.09.2021** wherein, it has been held that the adhoc service rendered prior to the regularization of the services cannot be taken into account for counting the seniority.

6. No one has appeared on behalf of the petitioner.

7. Keeping in view the settled principle of law, it can be safely



presumed that the petitioner is not interested in pursuing the present remedy.

- 8. Dismissed for non-prosecution.
- 9. Civil miscellaneous application pending, if any, is also disposed of.

May 09, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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