



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

201

**CWP No.5934 of 2009
Date of Decision : 18.5.2024**

*Satya Dev Parkash and others**..... Petitioners**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Lajpat Rai Sharma, Advocate, for
Mr. Vivek Khatri, Advocate, for the petitioners

Mr. Suneel Ranga, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to grant additional increment to the petitioners by counting their *ad hoc* service on completion of 8/18 years of service.

2. Learned counsel for the petitioners fairly submits that the issue at hand stands decided against the petitioners in *State of Haryana v. Haryana Veterinary and AHTS Association and another*, (2000) 8 SCC 4, holding that *ad hoc* service cannot be counted towards service benefit and additional increments. He, however, contends that the petitioners have already superannuated from service and in terms of law laid down in *State of Punjab and others v. Rafiq Masih (White washer) and others*, 2015 (4) SCC 334, recovery of the benefit already given cannot be made.

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3. Learned State counsel is not in a position to dispute the settled preposition in law.
4. The petition, accordingly, stands disposed of holding that the petitioners are not entitled to the benefit of additional increments on the basis of *ad hoc* service, however, the respondents shall not effect recovery of the benefit already given to them.

(TRIBHUVAN DAHIYA)
JUDGE

18.5.2024
Ashwani

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