



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

1127

CWP-6500-2015 (O&M)

Date of decision: 25.10.2024

Dharam Vir and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Eklavya Gupta, Advocate,
for the petitioners.
Mr. Dushyant Saharan, AAG, Haryana.

AMAN CHAUDHARY, J. (Oral)

1. Prayer made in the present petition is for quashing the impugned order dated 19.01.2015, whereby the claim of the petitioners to consider the period of ad-hoc service, prior to regularization, for the purpose of seniority has been rejected.

2. Learned State counsel by placing reliance on the judgment in the case of **State of Haryana and others vs. Vijay Singh and others**¹, states that the claim raised herein is squarely covered against the petitioner, relevant paras whereof read thus:

“24. None of the aforesaid judgments can be read as laying down a proposition of law that a person who is appointed on purely ad hoc basis for a fixed period by an authority other than the one who is competent to make regular appointment to the service and such appointment is not made by the specified recruiting agency is entitled to have his ad hoc service counted for the purpose of fixation of seniority. Therefore, the respondents, who were appointed as Masters in different subjects, Physical Training Instructor and Hindi Teacher on purely ad hoc basis without following the procedure prescribed under the 1955 Rules are not

¹ Civil Appeal No.5947 of 2012, decided on 22.08.2012



entitled to have their seniority fixed on the basis of total length of service. As a corollary to this, we hold that the direction given by the High Court for refixation of the respondents' seniority by counting the ad hoc service cannot be approved.

25. In the result, the appeal is allowed, the impugned order is set aside and the writ petition filed by the respondents is dismissed. The parties are left to bear their own costs.”

3. This Court, while following the above dictum in **Parmod Kumar vs. State of Haryana**², to which no challenge was made, held thus:

“43. For what has been discussed above, it is held that:-

(i) The petitioners are not entitled to count their period of ad hoc/work-charged/temporary service towards seniority in the cadre before the date they were regularized and became members of service for the first time in terms of the relevant policies of State Government.

(ii) The petitioners are not entitled to benefit of Additional Increments for the period of their ad hoc/work-charged service on completion of 8/18 years of service as well as 10/20 years, since such period does not qualify as regular satisfactory service as per modified scheme dated August 7, 1992.

(iii) Similarly, the petitioners are not entitled to the benefit of financial upgradations of Higher Standard Scale or to the Assured Career Progression Scales for the period of their ad hoc/work charge/temporary service etc. Only regular service rendered satisfactorily counts for claiming rights to these monetary benefits strictly as per the provisions of these schemes.”

4. Learned counsel for the petitioners despite his best efforts has been unable to draw out any distinctive aspects in the aforementioned judgments or cite any contrary law.

5. In wake of the above, the present petition is hereby dismissed.

(AMAN CHAUDHARY)
JUDGE

25.10.2024
ashok

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

² CWP-6305-2009, decided on 17.09.2018