

2025:PHHC:064208



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

1077

CWP-16233-2007 (O & M)
Date of decision: 14.05.2025

Taranjit Kaur

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Inayat Khullar, Advocate,
for the petitioner.

Mr. Swapan Shorey, DAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Learned counsel submits that the benefit of *ad hoc* service towards fixation of pay was withdrawn without passing any order and amount paid sought to be recovered. He prays for disposal of the present petition in terms of **Mahabir Parshad and others vs. State of Haryana and others**, CWP-12001-2006, involving the same issue, decided on 18.01.2024 alongwith connected cases, to which learned State counsel has no objection, relevant of which reads thus:

“2. It is not disputed at Bar that the issue raised herein stands settled as per law laid down by the Supreme Court in *State of Haryana v. Haryana Veterinary and A.H.T.S. Association*, (2000) 8 SCC 4, wherein it has been held that the adhoc service prior to regularisation cannot be counted for service benefits including grant of increments. Therefore, no exception can be taken to the impugned orders.

3. It is also not disputed that almost all the petitioners have retired from service, and even otherwise it

is settled that the amount of benefit given cannot be recovered from them post retirement in terms of judgment rendered by the Supreme Court in *State of Punjab and others v. Rafiq Masih (Whitewasher) and others*, 2015 (4) SCC 334.

4. In this view, these petitions stand disposed of directing the respondents not to effect recovery from the petitioners pursuant to the impugned orders.”

2. Ordered accordingly.

14.05.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No