

CWP- 10593-2026

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

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CWP-10593-2026(O&amp;M)

Date of decision: 08.04.2026

Amrik Singh

... Petitioner

Vs.

State of Punjab &amp; others

... Respondents

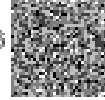
**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Himanshu Chhabra, Advocate  
for the petitioner.

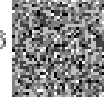
Mr. Vikas Arora, DAG, Punjab.

**HARPREET SINGH BRAR, J. (ORAL)**

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the impugned order/letter dated 19.01.2026 (Annexure P-7) passed by respondent No.4 whereby the legitimate claim of the petitioner for grant of annual increments for his ad hoc service period has been arbitrarily rejected. Further for directing the respondents to refix the pay of the petitioner by counting his ad hoc service from 23.03.1987 to 31.12.1989 for granting annual increments and to release all consequential benefits including arrears of salary, revised pension and other retiral dues along with interest.



2. Learned counsel for the petitioners *inter alia* contends that the petitioner was initially appointed as Dairy Helper-cum-Cleaner (DHCC) on ad hoc basis with respondent No.3 on 23.03.1987. His services were regularized on the same post w.e.f. 01.01.1990. At the time of regularization, the respondents rightly granted the benefit of his ad hoc service from 23.03.1987 to 31.12.1989 towards annual increments and his pay was enhanced accordingly. However, later based on an audit objection, the respondents unilaterally withdrew the increments granted for the ad hoc period and sought to re-fix his pay and also initiated recovery of the alleged excess payment vide order dated 08.05.2014 (Annexure P-1). Aggrieved against the same, the petitioner filed CWP-25754-2014, which was allowed vide order dated 08.07.2016 (Annexure P-2) quashing the order of re-fixation and recovery while observing that the employer had re-fixed the petitioner's pay and effected recovery without issuing any show cause notice or affording an opportunity of hearing before passing the aforesaid order. Despite the aforesaid judgment, the respondents failed to restore the increments. The petitioner retired on 31.05.2025. In a similar matter, this Court passed the judgment dated 03.02.2020 in CWP-656-2017, wherein the respondents' counsel stated that the ad hoc service rendered by the petitioners would be counted for the purpose of pensionary benefits. After the retirement the petitioner submitted



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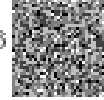
multiple representations. Respondent No.4 issued the impugned letter dated 19.01.2026 (Annexure P-7) arbitrarily rejecting the petitioner's claim ascertaining that annual increments are admissible only to regular employees and ad hoc engagement does not confer any right to increments or parity.

3. Notice of motion.

4. Mr. Vikas Arora, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondents. He submits that only regular satisfactory service can be taken into consideration for time bound promotional scheme increments and the ad hoc service rendered by the employee cannot be considered for the purpose of promotional increments and time bound ACP.

5. Having heard the learned counsel for the parties and after perusing the records, it transpires that the petitioner is seeking benefit of his *ad hoc* service for promotional increment. The issue in the present writ petition is no longer *res integra* and has been settled by the Hon'ble Supreme Court in ***Punjab State Electricity Board Vs. Jagjiwan Ram, 2009(3) SCT 92*** and ***State of Haryana & ors. Vs. Sita Ram & ors., 2014 (1) SCT 515*** which distinguished the judgement in ***State of Haryana Vs. Ravinder Kumar CA Nos.5740-5741 of 1997***.

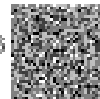
6. A Two Judge Bench of the Hon'ble Supreme Court in ***Sita***



**Ram** (supra), while speaking through Justice G.S. Singhvi observed as under:

*“16. In **Punjab State Electricity Board v. Jagjiwan Ram** (2009) 3 SCC 661, this Court considered a question substantially similar to the one raised in these appeals. The Punjab State Electricity Board introduced a scheme for giving time-bound promotional scales/increments on completion of 9/16/23 years of regular service. The scheme was circulated vide office order dated 23-4-1990. The respondents, who were engaged as work-charged employees between 1971 and 1993 and were appointed on regular basis between 1979 and 1999, filed writ petitions for grant of promotional scales/increments by contending that their work-charge service should be added to the regular service. The Division Bench of the High Court accepted their plea by relying upon the order passed in State of Haryana v. Ravinder Kumar (2013) 16 SCC 695. After noticing distinction between work-charged establishment and regular establishment as also the judgments in State of Haryana v. Haryana Veterinary and AHTS Assn. (2000) 8 SCC 4 and State of Punjab v. Ishar Singh (2002) 10 SCC 674, the Division Bench observed:*

*A reading of the scheme framed by the Board makes it clear that the benefit of time-bound promotional scales was to be given to the employees only on their completing 9/16 years' regular service. Likewise, the benefit of promotional increments could be given only on completion of 23 years' regular service. **The use of the term 'regular service' in various paragraphs of the scheme shows that service rendered by an employee after regular appointment could only be counted for computation of 9/16/23 years' service and the service of a temporary, ad hoc or work-charged employee cannot be counted for extending the benefit of time-bound promotional scales or promotional increments.** If the Board intended that total service rendered by the employees irrespective of their mode of recruitment and status should be counted for the purpose of grant of time-bound promotional scales*



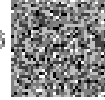
*or promotional increments, then instead of using the expression '9/16 years' regular service' or '23 years' regular service', the authority concerned would have used the expression '9/16 years' service' or '23 years' service'. However, the fact of the matter is that the scheme in its plainest term embodies the requirement of 9/16 years' regular service or 23 years' regular service as a condition for grant of time-bound promotional scales or promotional increments as the case may be."*

*The order passed in Ravinder Kumar case was distinguished and it was held that the same cannot be treated as precedent for other cases. This is evinced from para 22 of the judgment, which is extracted below:*

*The order passed by this Court in Ravinder Kumar is clearly distinguishable. In that case, counsel appearing for the State had conceded that the period during which an employee had worked on work-charged basis is counted for the purpose of grant of increment as well as for computation of qualifying service for pension. In view of his statement, the Court held that there is no reason why such service should not be counted for the purpose of giving additional increment on completion of 8/12 years' service and higher scale on completion of 10/20 years' service. The order does not contain any discussion on the issue whether the work-charged service can be equated or clubbed with regular service for grant of service benefits admissible to regular employees. Therefore, the same cannot be treated as laying down any proposition of law which can be treated as precedent for other cases."*

*(emphasis supplied)*

17. We reiterate that even though Ravinder Kumar case (2013) 16 SCC 695 was delinked from the batch of matters decided vide judgment in State of Haryana v. Haryana Veterinary and AHTS Assn. (2000) 8 SCC 4 and was independently decided, **the same cannot be relied upon for grant of benefit of ACP scales under the 1998 Rules or time-**

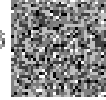


**bound promotional scales or additional increments by counting work charge or ad hoc service where the rules/scheme provide that the employee must have rendered regular service for a particular period.”**

7. Further, reliance can be placed upon the judgment rendered by a Two Judge Bench of the Hon'ble Supreme Court in ***Punjab State Electricity Board and others Versus Jagjiwan Ram 2009 INSC 160***, which while speaking through Justice G.S. Singhvi observed as under:

*“14. The order passed by this Court in Ravinder Kumar's case is clearly distinguishable. In that case, counsel appearing for the State had conceded that period during which an employee had worked on work charged basis is counted for the purpose of grant of increment as well as for computation of qualifying service for pension. In view of his statement, the Court held that there is no reason why such service should not be counted for the purpose of giving additional increment on completion of 8/12 years service and higher scale on completion of 10/20 years service. **The order does not contain any discussion on the issue whether the work charged service can be equated or clubbed with regular service for grant of service benefits admissible to regular employees.** Therefore, **the same cannot be treated as laying down any proposition of law which can be treated as precedent for other cases.***

8. Admittedly, it is settled that *ad hoc* service rendered by an employee cannot be considered for the purpose of promotional increments and time bound ACP or for granting benefits admissible to regular employees.

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9. In view of the above settled proposition of law, this Court finds no merit in the present petition. The same is accordingly dismissed.

08.04.2026  
*monika*

**[ HARPREET SINGH BRAR ]**  
**JUDGE**

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