

**LPA-1603-2026 (O&M)****1**

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

(110)

**CM-3916-LPA-2026
CM-3915-LPA-2026
CM-3917-LPA-2026 in/and
LPA-1603-2026
Date of Decision : July 01, 2026**

State of Haryana and others**.. Appellants**

Versus

Hawa Singh**.. Respondent**

**CORAM: *HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI*
*HON'BLE MR. JUSTICE AMARINDER SINGH GREWAL***

Present: Ms. Anu Pal, Additional Advocate General, Haryana,
for the appellant-State.

HARSIMRAN SINGH SETHI J. (ORAL)

CM-3916-LPA-2026

Present application has been filed seeking condonation of delay of 242 days in filing the appeal.

Keeping in view the averments made in the application, which are duly supported by an affidavit, the application is allowed. Delay of 242 days in filing the appeal is condoned.

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1. In the present Letters Patent Appeal, the challenge is to the order dated 28.08.2025 passed by the learned Single Judge in CWP No.14861 of 2013 by which, the Court held that the respondent is entitled to protection of order of regularization of his service as it existed at the time of retirement as well as consequential benefits.



2. Learned counsel for the appellant-State submits that rather than granting the benefit of 3rd ACP, the direction should have been given to consider the claim for the grant of 3rd ACP in view of the fact that the subsequent change in the date of regularization was set aside by the Court. Hence, the order dated 28.08.2025 needs to be modified to the said extent that in case, keeping in view the date of regularization of the respondent-employee at the time of his retirement, if he was entitled for the benefit of the 3rd ACP, the same will be considered by the appellant-State and appropriate order will be passed within a period of eight weeks from the date of receipt of this order.

3. Notice of motion.

4. Ms. Shruti Jain Goyal, Advocate, who is present in the Court, accepts notice on behalf of respondent and filed vakalatnama, which is taken on record.

5. Learned counsel for the respondent-employee Hawa Singh submits that record of the respondent was such that there is no impediment in the grant of 3rd ACP keeping in view the date of regularization of the services as it stood on the date when the respondent retired hence, the consideration being sought by the appellants to grant the relief on the said assumption that the regularization date of the services of the respondent will be the same as it stood on the date of retirement, ignoring the subsequent order of challenging the date of regularization, which order has been set aside by the learned Single Judge, learned counsel for the respondent has no objection to give liberty to the appellant-State to consider his claim and pass appropriate speaking order.

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6. Keeping in view the above, the present appeal is disposed of with the observation that the appellants-State will consider and pass appropriate order with regard to the eligibility/suitability to grant 3rd ACP to the respondent Hawa Singh. The said eligibility will be ascertained keeping in view the date of regularization of the services as it existed on the date when he retired and not the subsequent change of the date of regularization. Let the said order be passed within a period of eight weeks as undertaken by the learned counsel for the appellants-State and in case, the respondent is found entitled for any relief, the same will be extended to him along with other consequential benefits within a period of eight weeks thereafter.

7. Civil miscellaneous application pending if any, also stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 01, 2026
harsha

(AMARINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No