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2025:PHHC:094589-DB



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

**LPA-1421-2024 (O&M)**

**Date of decision : 29.07.2025**

**Jalour Singh and others**

**...Appellants**

**Vs.**

**State of Punjab and others**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL  
HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Gurvinder Pal Singh, Advocate for  
Mr. P.S.Khurana, Advocate  
for the appellants.  
Ms. Arundhati Kulshreshtha, AAG, Punjab

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**ANUPINDER SINGH GREWAL, J.(Oral)**

**CM-3374-LPA-2024**

This is an application seeking condonation of delay of 227 days in re-filing the appeal.

Issue notice in the application.

At the asking of the Court, Ms. Arundhati Kulshreshtha, AAG, Punjab accepts notice on behalf of the official respondents and submits that she has no objection if the delay is condoned.

Heard.

For the reasons stated in the application, same is allowed and delay of 227 days in re-filing the appeal is condoned.

**Main case**

The appellants have impugned the order of the Single Bench

whereby the writ petition preferred by them seeking pay at par with respondents No.6 and 7 has been dismissed.

2. Learned counsel for the appellants submits that the appellants, who were working as Junior Engineers, were later promoted as Sub-Divisional Engineers in 2010, but the private respondents, who were also working as Sub-Divisional Engineers in the year 2010, were drawing a higher pay-scale despite being juniors to the appellants and, therefore, the pay of the appellants be stepped-up at par with them.

3. Heard.

4. The private respondents, who are degree-holders in Engineering, were appointed as Junior Engineers while the appellants are diploma-holders and were also appointed as Junior Engineers. The Rules which govern the promotion to the post of Sub-Divisional Engineer provides that Junior Engineers, who are degree-holders, are entitled to promotion after they have attained the experience of 03 years while the diploma-holders would be entitled to promotion only after 10 years of service. The private respondents being degree-holders, had been promoted as Sub-Divisional Engineers on *ad hoc* basis in the year 1987, however, their promotion was regularized in the year 2010. But the appellants had been promoted as Sub-Divisional Engineers only in the year 2010. The pay of the respondents is protected in terms of the instructions issued on 11.05.1990 (Annexure R-2), wherein it is stated that the period of service rendered by an employee against promotion on *ad hoc* basis is to be counted for the purpose of providing the benefit of senior/selection grades and proficiency step-up increment to the employee. Since, the *ad hoc* service rendered by the private respondents was to be counted for the benefit of

senior/selection grade, therefore, they were drawing higher salary than the appellants, who had been promoted only in the year 2010. It is also the specific stand of respondent-State as well that the *ad hoc* service against the promotional post is not counted for fixing of the seniority, however, the financial benefits to the employees working on *ad hoc* basis has been protected by the afore-noted instructions dated 11.05.1990.

5. It is thus evident that the private respondents, who are degree-holders were promoted on *ad hoc* basis earlier than the appellants and the period of *ad hoc* service was counted for senior/selection grade, therefore, they were drawing higher pay which is justified as degree-holders are entitled to promotion on completion of 03 years while the diploma-holders including the appellants are eligible for promotion on completion of 10 years of service.

6. Consequently, we do not find any illegality in the order of the Single Bench dismissing the petition preferred by the appellants seeking parity in the pay with that of the private respondents. The Letter Patent Appeal being devoid of merits stands dismissed.

7. All pending miscellaneous application(s) shall also stand disposed of.

**(ANUPINDER SINGH GREWAL )  
JUDGE**

**(DEEPAK MANCHANDA)  
JUDGE**

**29.07.2025**

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Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No