

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.3726/2000

(From the judgement and order dated 08/09/1997 in CWP 5738/96
of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF PUNJAB & ORS

Petitioner (s)

VERSUS

SATNAM SINGH & ORS

Respondent (s)

(With prayer for interim relief)
(With Appln(s). for exemption from filing c/c of the
impugned Judgment)

Date : 03/01/2001 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAJENDRA BABU
HON'BLE MR. JUSTICE K.G. BALAKRISHNAN

For Petitioner (s) Mr. Krishan Venugopal, Adv.
Mr. Uday Nath Tiwari, Adv.
Mr. Rajiv K. Sharma, Adv.
Mr. R.S. Suri, Adv.

For Respondent (s) Mr. Ananat Vijay Palli, Adv.
Mrs.Rekha Palli,Adv.
Mr. Atul Sharma, Adv.

UPON hearing counsel the Court made the following
O R D E R

.....L.....I.....J
.SP2

Leave granted.
Appeal is allowed in terms of the signed order.

.SP1

(Meenu Sethi)
Court Master

(Meena Trikha)
Assistant Registrar

Signd order is placed on the file

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IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO...66...OF 2001@@

State of Punjab & Ors. .. Appellants

Vs.

Satnam Singh & Ors. .. Respondents

O_R_D_E_R@@
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.....L.....I.....J
.SP2

Leave granted.

The respondents who possessed the qualifications as JBT teachers were appointed as Social Education Workers on ad-hoc basis under a scheme called "Adult Education Scheme'. The scheme came to an end on 30.6.1991. Thereafter, they were appointed afresh as teachers and at that time each of them gave an undertaking in the following terms:

.....L.....J
.SP1

" The employee shall give undertaking by way of affidavit in the stamp paper of Rs.3/- that he will not claim the benefits of past service periods, security and is ready to accept the seniority from the date of his joining service."

.SP2

.....L.....I.....J
However, they made a claim that they could be regularised in such a manner so as to give them proficiency step-ups after eight or eighteen years of regular service, as the case may be and fix their pay accordingly. The High Court allowed that Writ Petition. Hence, this appeal.

The High Court noticed that the undertaking had been given only to the extent of not claiming seniority over others and that would not include the reckoning of the past service for the purpose of grant of proficiency step-ups. We do not think the undertakings given by the respondents can be read in that restricted manner. It was made clear that their past service will not be reckoned for any purpose and if that is so the benefit that has been extended to them, as claimed by them, by the High Court is not justified. When the scheme came to an end they had to go out of job but the Government proceeded to provide them with other jobs afresh. Therefore, they could not rely upon their past service to claim the proficiency step ups of eight years or eighteen years as the case may be. The appeal is allowed accordingly and the order passed by the High Court is set aside.

.SP1

.....J@@
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(S. RAJENDRA BABU)@@
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.....J@@
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(K.G. BALAKRISHNAN)

New Delhi,@
AAAAAAAAA
January 3, 2001.