

(2016) 04 SHI CK 0147
In the High Court Of Himachal Pradesh
Case No : LPA No. 213 of 2010

Akash Deep Sharma

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 26-04-2016

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2016) ILRHP 1379

Hon'ble Judges : Mansoor Ahmad Mir, CJ. and Tarlok Singh Chauhan, J.

Bench : Division Bench

Advocate : Mr. Lalit K. Sharma, Advocate, for the Appellant; Mr. Shrawan Dogra, Advocate General, with Mr. Romesh Verma and Mr. M.A. Khan, Additional Advocate Generals, and Mr. J.K. Verma and Mr. Kush Sharma, Deputy Advocate Generals, for the Respondent Nos. 1 and 2

Final Decision : Disposed Off

Judgement

Mansoor Ahmad Mir, C.J.(Oral)—This appeal is directed against the judgment and order, dated 10th August, 2010, made by the learned Single Judge in CWP (T) No. 8669 of 2008, titled as A.D. Sharma v. State of Himachal Pradesh and another, whereby the writ petition filed by the appellant-writ petitioner came to be disposed of (for short "the impugned judgment").

2. We have gone through the impugned judgment and are of the considered view that the impugned judgment, on the face of it, is non-speaking one, needs to be set aside.

3. Without marshaling the facts and merits of the case, the appeal is allowed, the impugned judgment is set aside and the writ petition is restored to its original number and remanded for decision on merits.

4. As the lis falls within the jurisdiction of the H.P. State Administrative Tribunal (for short "the Tribunal"), the same is transferred to the Tribunal. Learned counsel for the parties are directed to cause appearance before the Tribunal on

11th May, 2016.

5. Registry is directed to send down the record to the Tribunal, after proper indexing.

6. The appeal is disposed of accordingly along with all pending applications.