
(2021) 03 SHI CK 0016
In the High Court Of Himachal Pradesh
Case No : CWPOA No. 7732 Of 2019

Aman Rehalia And Anr

APPELLANT

Vs

State Of H.P. & Others

RESPONDENT

Date of Decision : 01-03-2021

Acts Referred:

Citation : (2021) 03 SHI CK 0016

Hon'ble Judges : Sureshwar Thakur, J

Bench : Single Bench

Advocate : Adarsh K. Vashista, Narender Guleria, Hemant Vaid, Ashwani Sharma

Final Decision : ?Allowed

Judgement

Sureshwar Thakur, J

1. Heard. Reply on behalf of respondent No.3 is not required to be filed.
2. Though, the writ petitioner one Aman Rehalia was initially, as, disclosed by appointment letter, borne in Annexure A-4, appointed, as, a Junior Engineer (Civil), by the co-respondent No.3 on a contractual basis, contractual period/tenure whereof, extended upto a period of two years, (a) however, his services, as depicted by Annexure A-6, became regularized in a running pay scale. Succinctly, the grievance, as, ventilated by the petitioner, in the extant petition, is, confined to the respondents being meted a mandamus, to, in the service book(s) of the writ petitioner(s), carry reflections qua the tenure of contractual service, rendered by him, being computed, as, eligiblizing service for the purpose of computing his pensionary benefits.
3. Though, the learned additional Advocate General submits that the afore prayer is not amenable for its being accepted. However, his resistance to

the afore espousal, has, become enfeebled by the verdict, rather supporting the address made before this Court by the learned counsel appearing for

the petitioner, rendered in CWP No. 5400 of 2014, titled as Veena Devi vs. Himachal Pradesh State Electricity Board Ltd. & another, decided on

21.11.20214, wherein the period of rendition of contractual service, by the petitioner, became directed to be taken into account, for the purpose, of

computing the apposite pensionary benefits. Since, the learned Additional Advocate General has been unable to place on record any verdict rendered

by the Hon'ble Apex Court, reversing the afore made verdict, thereupon, the afore made directions, as, carried in the Veena Devi's case (supra) are

binding upon this Court.

4. For the foregoing reasons the extant petition is allowed, and, the respondents are directed to compute the contractual period of service, as, rendered

by the petitioner, under respondents, for the purpose of computing his pensionary benefits, at the stage of his superannuation, in terms of the verdict

rendered by this Court in Veena Devi's case (supra), however subject to his falling outside the prohibitive ambit of, Annexure R-1. All pending

applications also stand disposed of.