

(2012) 01 SHI CK 0090
In the High Court Of Himachal Pradesh
Case No : CWP No. 11871 of 2011-H

Anita Sharma

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 06-01-2012

Acts Referred:

Citation : (2012) 01 SHI CK 0090

Hon'ble Judges : Kurian Joseph, C.J.;V.K. Ahuja, J

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—This writ petition is filed mainly with the following prayer:

(A) Issue a writ of mandamus or any other writ, order, direction directing the respondents to pay to the petitioner the benefit of merger of 50% of D.A. into basic pay + 11% D.A. w.e.f. 01-04-2004 in the revised pay scale and further revision thereof from time to time till the regularization of their services on their respective dates, with all consequential benefits and arrears accrued on this count with interest as per the judgment of this Hon''ble Court in CWP (T) No. 14232/2008 titled as Nek Ram & others V/s State of H.P. and others, dated 17-11-2009.

2. As far as the issue of merger of 50% D.A. is concerned, the same is covered in favour of the petitioner by the decision of this Court in CWP (T) No. 14232 of 2008, titled Nek Ram and others versus State of Himachal Pradesh and others. The needful, in the light of the above decision, shall be done in the case of the petitioner and the benefits, if any, to which the petitioner is found eligible, shall be disbursed to her, within a period of two months from the date of production of a copy of this judgment alongwith a copy of the writ petition by the petitioner before the second respondent.

3. As far as the entitlement of the petitioner for revised pay scale is concerned, the parties shall be governed by the decision of this Court in LPA No. 105 of

2010, subject to its finality.

4. The writ petition is disposed of, as above, so also the pending application(s), if any.