

(2011) 06 SHI CK 0099
In the High Court Of Himachal Pradesh
Case No : CWP No. 767 of 2011

Balak Ram

APPELLANT

Vs

Dr. Y.S. Parmar University of Horticulture and Others

RESPONDENT

Date of Decision : 21-06-2011

Acts Referred:

Citation : (2011) 06 SHI CK 0099

Hon'ble Judges : Kurian Joseph, C.J;Sanjay Karol, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The Petitioner has approached this Court with certain grievances regarding his transfer as Hostel Attendant at Students Welfare Organization UHF at Nauni. According to the Petitioner, he could be transferred only as Junior Scale Stenographer. But, the contention of the University is that the Petitioner had been working only in the substantial post of Chowkidar and he had worked as computer operator for short spells, when no such hands were available and for that period, the Petitioner had also been paid accordingly. On the other hand, the main contention of the Petitioner is that he is entitled to the benefit of the decision in Gauri Dutt and Ors. v. State of H.P. Latest HLJ 2008 (HP) 366. That issue is now subject matter of LPA No. 210 of 2010. The Petitioner may join the University in the available post immediately. However, it is made clear that the above arrangement shall be without prejudice to the contentions available to the parties in the aforesaid LPA. In case, any vacancy in the post of Junior Scale Stenographer arises, the Petitioner shall be preferentially considered for that post. The absence of the Petitioner during the interregnum may be regularized as leave of the kind due to him.

2. With these observations, the writ petition stands disposed of, so also the pending application(s) if any.