

(2012) 01 SHI CK 0197
In the High Court Of Himachal Pradesh
Case No : CWP No. 70 of 2012-G

Bali Ram

APPELLANT

Vs

The Himachal Pradesh Horticulture Marketing and Processing
Corporation Ltd.

RESPONDENT

Date of Decision : 06-01-2012

Acts Referred:

Citation : (2012) 01 SHI CK 0197

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

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—The writ petition is filed with the following prayers:

(i) That the respondents may kindly be directed to release the withheld amount of gratuity and leave encashment as per Annexure P-3 i.e. amounting to Rs. 3,48,922.00/- as per sanction order dated 23.8.2011 (Annexure P-3) along with interest @ 12% p.a. from the due date till actual payment by issuing a writ of mandamus.

(ii) That the respondents may kindly be directed to grant petitioner's revised pay scale w.e.f. 1.1.2006 along with an arrear of DA @ 51% and same may be ordered to be added in the gratuity and leave encashment along with arrears.

2. Heard the learned counsel for the respondent. The issue in principle has been considered by this Court leading to a judgment in CWP No. 8304 of 2011 decided on 18th October, 2011 titled Dyal Singh Roch vs. HPMC. It is not in dispute that the judgment has been accepted in principle. In case the petitioner is similarly situated as the petitioner covered by the judgment, referred to above, similar treatment shall be granted to the petitioner herein also. The needful action shall be done by the respondent within a period of three months from the date of production of a copy of this judgment along with the copy of the writ petition by the petitioner before the respondent.

3. The writ petition is disposed of, so also the pending applications, if any.