
(2024) 05 SHI CK 0134

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No.4452, 4453, 4454, 4455, 4456, 4457, 4458, 4459, 4460, 4473, 4478, 4479, 4480, 4481, 4486 Of 2024

Bayas Dev And Others

APPELLANT

Vs

HRTC And Another

RESPONDENT

Date of Decision : 23-05-2024

Acts Referred:

Citation : (2024) 05 SHI CK 0134

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Ashok Kumar, Mandeep Chandel, Dheeraj K. Vashisht, Raman Jamalta

Judgement

Jyotsna Rewal Dua, J

1. Notice. Mr. Dheeraj K. Vashisht and Mr. Raman Jamalta, learned Standing Counsel, appear and waive service of notice on behalf of the respondents in the respective petitions.
2. With the consent of the learned counsel for the parties, the matters are heard at this stage.
3. The petitioners seek a direction to the respondents for grant of pension allowance at 5%, 10% and 15% of the basic pension/family pension on attaining the age of 65 years, 70 years and 75 years, respectively.
4. Learned counsel for the petitioners submitted that similar issue was decided by the erstwhile Himachal Pradesh Administrative Tribunal in O.A. No.2929 of 2015 (Sh. Brij Lal and others Vs. State of Himachal Pradesh and another). That O.A. was disposed of with a direction to the respondents (therein) to release arrears of due and admissible dearness relief and pension allowance of 5%, 10% and 15% on attaining the age of 65 years, 70 years and 75 years by the concerned retirees. Reference in this regard was made to Annexure P-1.

It was further submitted that CWP No.8670 of 2023, preferred by the Himachal

Road Transport Corporation (respondent herein) against the aforesaid decision of the Tribunal was dismissed by a Division Bench of this Court on 07.11.2023. Special Leave Petition(C) Diary No(s).50794 of 2023, filed by the HRTC against the judgment dated 07.11.2023, passed in CWP No.8670 of 2023, was dismissed by the Hon'ble Apex Court on 25.01.2024.

The submission of the learned counsel for the petitioners is that in view of the aforesaid decision, respondent-Corporation is liable to release the pension allowance at different slabs of 5%, 10% and 15% on petitioners' attaining the age of 65 years, 70 years and 75 years. It has further been submitted that the petitioners' representations for redressal of this issue have not been attended by the respondent. Hence, these Writ petitions.

5. Learned counsel for the petitioners state that the petitioners would be content if the cases of the petitioners are considered by the respondents in light of the aforesaid judgments within a time bound schedule. Learned counsel for the respondents have no objection for this prayer.

Having regard to above submissions all the petitions are disposed of by directing the respondents to consider the respective cases of the petitioners in light of the aforesaid judgments and pass appropriate orders in accordance with law within a period of three weeks from the date of receipt of copy of this order. The decision so arrived at, shall also be communicated to the petitioners.

Pending miscellaneous application(s), if any, also to stand disposed of.