
(2023) 05 SHI CK 0115
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No.1446 Of 2023

Bhoj Raj	Vs	APPELLANT
State Of Himachal Pradesh And Another		RESPONDENT

Date of Decision : 22-05-2023

Acts Referred:

Citation : (2023) 05 SHI CK 0115

Hon'ble Judges : Tarlok Singh Chauhan, J;Virender Singh, J

Bench : Division Bench

Advocate : Suman Thakur, Anup Rattan, Yashwardhan Singh Chauhan, Ramakant Sharma, Sharmila Patiyal, J.S. Guleria, Priyanka Chauhan, Arsh Rattan, Rajat Chauhan

Final Decision : Disposed Of

Judgement

Tarlok Singh Chauhan, J

1. The instant petition has been filed for grant of the following substantive relief(s):

"i) That the writ of mandamus may kindly be issued to the respondents to not grant him artificial break after the period of 89 days.

ii) That the respondents may kindly be directed to allow the petitioner to complete 240 days in calendar year till his regularization.

iii) That respondents may kindly be ordered to regularize the services of petitioner on the post of electrician or Chowkidar after completion of five years of regular service."

2. Before the case at hand could be decided on its own merit, learned counsel for the petitioner states that case of petitioner is fully covered by judgment rendered by learned Single Judge of this Court in Mandeep Kumar and others vs. State of H.P. and others, CWP(T) No. 2145 of 2008 and connected matters decided on 21.2.2011 (Annexure P-2). She also states that the issue raised in the instant

petition has been decided by Division Bench of this Court vide judgment dated 30.10.2020 passed in LPA No. 480 of 2011 titled State of H.P. and others v. Mandeep Kumar and connected matters (Annexure P-3). Learned Counsel appearing for the petitioner states that the petitioner would be content and satisfied in case necessary directions are issued to the respondents to consider and decide the case of the petitioner in light of the judgments (supra), in a time bound manner.

3. Learned Additional Advocate General is not averse to the aforesaid innocuous prayer made on behalf of the petitioner.

4. Consequently, the present petition is disposed of with a direction to the respondents to consider and decide the case of the petitioner in light of judgments supra, expeditiously positively within a period of six weeks from today. Needless to say authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioner and pass a speaking order thereafter. Liberty is reserved to the petitioner to file appropriate proceedings, before appropriate forum, if he still remains aggrieved.

5. Petition stands disposed of in the aforesaid terms. Pending miscellaneous application(s), if any, shall also stand disposed of.