

(2023) 07 SHI CK 0123

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 4900 Of 2023

Birma Chauhan

APPELLANT

Vs

H.P.U. & Anr

RESPONDENT

Date of Decision : 31-07-2023

Acts Referred:

Citation : (2023) 07 SHI CK 0123

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Sohail Khan, Rajesh Kumar, Piyush Agnihotri, Archana Dutt, Anup Rattan, Rupinder Singh Thakur, Y. P. S. Dhaulta, Seema Sharma, Sumit Sharma

Final Decision : Disposed Of

Judgement

Jyotsna Rewal Dua, Judge

1. Notice. Mr. Piyush Agnihotri, Advocate vice Mr. Nitin Thakur, learned Standing Counsel and Ms. Seema Sharma, learned Deputy Advocate General, appear and waive service of notice on behalf of respondent 1 and respondent

2. Heard.

3. Prayer in this petition is to include Secretariat pay as part of the Basic Pay for computing pension and other retiral benefits.

4. Learned counsel for the petitioner submitted that the issue raised in this petition is squarely covered by the judgment rendered by the Hon'ble Single Bench of this Court in CWP No. 208/2020 (Durga Ram Vs. Himachal Pradesh University & Anr. alongwith connected matters) decided on 18.10.2022. Learned counsel for the petitioner further submitted that the petitioner would be content, in case, respondents/competent authority are directed to consider and decide the case of the petitioner, in light of the law laid down in the aforesaid judgment, in a time bound manner. Prayer is not opposed by learned counsel for the respondents.

5. In this view of the matter, the writ petition is disposed of by directing the respondents/competent authority to consider and decide the case of the petitioner in light of the aforesaid judgment and in case, the petitioner is found to be similarly situated, then the benefit extended to the petitioners in the aforesaid judgment, shall also be extended to the petitioner in the instant case also. The entire exercise be completed within six weeks from today. The decision to taken shall be communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.