
(2021) 11 SHI CK 0054
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No.5954 Of 2021

Darshan Dass

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 17-11-2021

Acts Referred:

Citation : (2021) 11 SHI CK 0054

Hon'ble Judges : Mohammad Rafiq, CJ;Sabina, J

Bench : Division Bench

Advocate : B.N. Sharma, Ashok Sharma, Nand Lal Thakur, Seema Sharma

Final Decision : Disposed Of

Judgement

Mohammad Rafiq, CJ

1. Notice. Mr. Nand Lal Thakur, learned Additional Advocate General, appears and accepts service of notice on behalf of the respondents.
2. This writ petition has been filed by Darshan Dass, who was initially engaged on daily wage basis as Helper in the office of the Executive Engineer, I&PH Division, Rampur, District Shimla, H.P., in the year, 1996. His first posting was at Kashapat, under I&PH Division Rampur, District Shimla, H.P.
3. According to the petitioner, he has completed 240 days of service in the year, 1997 itself and was required to be regularized in the year, 2003, but, the respondents wrongly delayed his regularization and eventually regularized his services in the year, 2007. Not only the petitioner is entitled to be regularized in service in the year, 2003, but, he is also entitled to arrears, increments and other consequential benefits for the intervening period. The petitioner has time and again personally visited the office of the respondents and each time, he was assured that he will be given due benefit, but, nothing happened.
4. It is contended that the petitioner has recently filed a detailed representation in February, 2021 (Annexure P-2) to respondent No.3-the Executive Engineer,

I&PH Division, Rampur, District Shimla, H.P., praying for his regularization in the year, 2003 instead of 2007 on the post of Helper with arrears, increments and all other consequential benefits accrued therefrom. So far as no decision has been taken by respondent No.3 on the said representation.

5. Having regard to the limited nature of submissions made and without commenting upon the merits of the case, we dispose of the writ petition with direction to respondent No.3-the Executive Engineer, I&PH Division, Rampur, District Shimla, H.P., to decide the aforesaid representation (Annexure P-2) by a speaking order within one month from the date of submission of a copy of this order before the said authority.

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