
(2020) 10 SHI CK 0330
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 3120 Of 2020

Desh Raj	Vs	APPELLANT
State Of Himachal Pradesh And Others		RESPONDENT

Date of Decision : 07-10-2020

Acts Referred:

Citation : (2020) 10 SHI CK 0330

Hon'ble Judges : L. Narayana Swamy, CJ;Anoop Chitkara, J

Bench : Division Bench

Advocate : Devender K. Sharma, C.N. Singh, Adarsh K. Sharma, Ritta Goswami, Nand Lal Thakur

Final Decision : Disposed Of

Judgement

L. Narayana Swamy, CJ

1. By way of the instant writ petition, the petitioner has come up before this Court seeking the following substantive reliefs:

"i) Issue a writ of Mandamus or other appropriate writ or direction, directing the respondents department to grant the whole time/daily wage status to the petitioner immediately after completion of nine years of service with all consequential benefits and arrear on account of retrospective grant of daily wage status may kindly be ordered to be released in favour of petitioner along with 12% interest.

ii) Issue a writ of Mandamus or other appropriate writ or direction for directing the respondents department to regularize the service of the petitioner after completion of 14 years of total length of service (part time as well as Daily wage) with all consequential benefits and arrear on account of retrospective regularization may kindly be ordered to be released in favour of petitioner along with 12% interest."

2. Learned counsel appearing on behalf of the petitioner submits that the case of

the petitioner is squarely covered by judgment, dated 2nd May, 2014, rendered by a Division Bench of this Court in CWP No. 2806 of 2014, titled Bimla Devi versus State of Himachal Pradesh and others (Annexure P-5).

3. If that is so, it is always open for the petitioner to approach the respondents for extension of the same benefits.

4. Accordingly, the instant writ petition is disposed of reserving liberty to the petitioner to approach the respondents by way of representation, for redressal of his grievances, who are directed to consider and pass appropriate orders, in accordance with law, within a period of three months from the date of receipt of the representation.

5. It goes without saying that in case the grievances of the petitioner are not redressed, he is at liberty to approach this Court, if so advised.

6. Pending miscellaneous applications, if any, are also disposed of accordingly.