

(2023) 07 SHI CK 0039

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 4289 Of 2021

Halaya Devi

APPELLANT

Vs

Chaudhary Sarwan Kumar Himachal Pradesh Krishi
Vishvavidyalaya

RESPONDENT

Date of Decision : 04-07-2023

Acts Referred:

Citation : (2023) 07 SHI CK 0039

Hon'ble Judges : Vivek Singh Thakur, J; Satyen Vaidya, J

Bench : Division Bench

Advocate : Tanuj Thakur, Naresh K. Sharma

Final Decision : Disposed Of

Judgement

Vivek Singh Thakur, J

1. Notice. Mr. Naresh K. Sharma, Advocate, appears and waives service of notice on behalf of the respondents.

2. The instant petition has been filed for the grant of following substantive relief:

"a) That the respondents may kindly be directed to allow the petitioner to switch over from CPF-cum-Gratuity Scheme" to "GPF-cum-Pension-cum-Gratuity Scheme" and allot him the GPF Account Number on the analogy of Dr. Kamal Dev Sharma under the real spirit of the decision of the Board of Management notified vide notification dated 25-07-2002 (Annexure P-2) the necessary procedure for switching over, as has been done in the year 2012, may kindly be ordered to be adopted in the case of the petitioner with a time bound period manner with all conductional benefits."

3. Learned counsel for the petitioner states that the issue in question is no longer res integra and the same is squarely covered by the judgment rendered by the learned Single Judge in batch of petitions lead case being CWPOA No. 6113 of 2020 , titled as Dr. Suresh Chander Negi & Ors. vs. Chaudhary Sarwan Kumar

Himachal Pradesh Krishi Vishwavidyalaya, Palampur, decided on 02.09.2022, which judgment in turn, has now been affirmed by the learned Division Bench in LPA No. 46 of 2023, alongwith connected matters, lead case being LPA No. 46 of 2023, titled as Chaudhary Sarwan Kumar Himachal Pradesh Krishi Vishwavidyalaya, Palampur vs. Vipin Kumar Gupta, decided on 17.04.2023 (Annexure P-12).

4. It has been submitted by learned counsel for the petitioner that representation filed by the petitioner (Annexure P-4) is pending consideration before the respondents.

5. In this view of the matter, we deem it appropriate to dispose of this petition by directing the respondents to consider and decide the case/representation of the petitioner in light of the aforesaid judgments and in case, the case of the petitioner is found to be covered, then, same and similar benefit, be extended to the petitioner. The entire exercise be completed within eight weeks.

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