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**(2014) 06 SHI CK 0074**  
**In the High Court Of Himachal Pradesh**  
**Case No : CWP No. 3630 of 2011**

K.C. Verma

APPELLANT

Vs

State of H.P.

RESPONDENT

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**Date of Decision :** 05-06-2014

**Acts Referred:**

**Citation :** (2014) 06 SHI CK 0074

**Hon'ble Judges :** Tarlok Singh Chauhan, J

**Bench :** Single Bench

**Advocate :** Ranjana Parmar, Advocate for the Appellant; V.K. Verma, Addl. AG, Mr. R.S. Verma and Ms. Parul Negi, Dy. AG, Advocate for the Respondent

**Final Decision :** Allowed

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## Judgement

Tarlok Singh Chauhan, J.—This petition has been preferred by the petitioner mainly claiming therein the following substantive reliefs:

i). That the respondents may very kindly be directed to treat the petitioner as similar situate with those of the petitioners in CWP(T) No. 5467 of 2008 and give him the same benefits.

ii). That impugned order dated 6.1.96 and 10.8.98 may be quashed and set aside and respondents may kindly be directed to assign properly seniority to the petitioner in the seniority list of Senior Assistant with all consequential benefits as it stood on 27.4.94.

2. When the case came up for hearing on 30.5.2014, on the application for early hearing having been preferred by the petitioner, it is stated by the learned counsel that the matter in issue is infact covered by a decision of a Coordinate Bench of this Court (Justice Rajiv Sharma, J.) in CWP(T) No. 5467 of 2008 titled as Chet Ram and another versus State of Himachal Pradesh and others, whereby the juniors of the petitioner have infact been conferred with the benefits as sought for in the present petition and the judgment in Chet Ram's case (supra) stands implemented.

3. The respondents-State was directed to be prepared for arguments and also to seek instructions regarding the statement of the learned counsel for the petitioner on the next date of hearing fixed for 5.6.2014. When the matter was taken up today for hearing, the respondents-State did not dispute the fact that the petitioner was not only similarly situated with S/Sh. Chet Ram and Sukh Bahadur Gurung, the petitioners in CWP(T) No. 5467 of 2008, rather it was the petitioner who was senior to such persons.

4. In this view of the matter, once the juniors of the petitioner have been granted the benefits, as claimed by the petitioner, there is no reason to deny the petitioner the said benefits. No doubt, the State has expressed its apprehension that granting relief to the petitioner would amount to opening the pandora box as hundreds and thousands of similarly situated persons would be approaching the Court. This contention of the respondents-State is totally misconceived and ill-founded as this Court has no jurisdiction or authority to prevent any person from approaching the Court for redressal of his/her grievance, which needless to say, is required to be determined within the fore corners of law.

5. Taking into consideration the fact that the case of the petitioner is covered by the judgment of this Court in CWP(T) No. 5467 of 2008 titled as Chet Ram's case (supra), the present petition is allowed by directing the respondents to grant the same and similar benefits to the petitioner with those of the petitioners in CWP(T) No. 5467 of 2008. Further, the impugned orders dated 6.1.1996 and 10.8.1998 are quashed and set aside. The respondents are directed to assign the seniority and also pay all consequential benefits within a period of three months, failing which, the respondents-State shall be liable to pay interest at the rate of 6% on the consequential benefits, so worked out. No costs.