

(2021) 04 SHI CK 0051
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 2279 Of 2021

Krishan Chand

APPELLANT

Vs

Himachal Road Transport Corporation And Ors

RESPONDENT

Date of Decision : 08-04-2021

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2021) 04 SHI CK 0051

Hon'ble Judges : Sureshwar Thakur, J;Sandeep Sharma, J

Bench : Division Bench

Advocate : Vishwa Bhushan Sharma, Vikas Rajput

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By way of instant petition filed under Article 226 of the Constitution of India, petitioner has prayed for following reliefs:-

i) That the respondents may kindly be directed to release the amount of DCRG/ Gratuity and leave encashment to the petitioner forthwith.

ii) That the respondents may further be directed to pay interest to the petitioner on the belated payment of pension and unpaid amount of DCRG/Gratuity and Leave Encashment @ 12% per annum w.e.f.1.1.2018 up to the date, it was/is actually paid to the petitioner in a time bound manner as per judgment passed by this Hon'ble Court in CWP No.3050/2014, titled as Nek Ram versus State of H.P. and others.

2. Learned counsel for the parties are ad-idem that case of the petitioner is squarely covered by the judgment dated 17.7.2014, passed by a coordinate Bench this Court in CWP No. 3050 of 2014, titled Nek Ram v. State of HP and Ors.

3. Having carefully perused aforesaid judgment rendered by the coordinate Bench of this court, this Court finds that case of the petitioner is identical to the

aforesaid case decided by this Court. Vide aforesaid judgment, this Court has already dealt with all the points raised in the instant petition and as such, respondents can be directed to decide the case of the petitioner in light of the aforesaid judgment rendered by the Division Bench of this court.

4. Consequently, In view of the above, the directions contained in the aforesaid judgment are ordered to be made mutatis mutandis applicable in the present case for all intents and purposes. In the aforesaid terms, present petition is disposed of alongwith pending application(s), if any.