
(2023) 01 SHI CK 0006

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 9047 Of 2022

Madan Lal Chauhan & Others

APPELLANT

Vs

State Of H.P. & Others

RESPONDENT

Date of Decision : 02-01-2023

Acts Referred:

Citation : (2023) 01 SHI CK 0006

Hon'ble Judges : A.A. Sayed, CJ; Satyen Vaidya, J

Bench : Division Bench

Advocate : Vijay Kumar, Anup Rattan, Rakesh Dhaulta

Final Decision : Disposed Of

Judgement

A.A. Sayed, CJ

1. The petition has been filed by the petitioners seeking the following substantive reliefs:

“(i) That the respondents may kindly be directed to bring the service of the petitioner on contractual establishment against the post of pump attendant immediately on completion of 12 years service as water guard w.e.f. 01.01.2019 instead of 14.10.2020 in the time scale of pay from due date along with all consequential benefits including seniority, arrear and monetary benefits in the interest of justice and fair play.

(ii) That the respondents may kindly be directed to give regularization to the petitioners immediately after completion of 3 years of contractual services i.e. w.e.f. 2019 instead of 2022 with all consequential benefits.

iii) That the respondents may kindly be directed to grant relaxation in educational qualification as has been done in the case of other similarly situated persons.”

2. Learned counsel for the petitioners has placed reliance on the judgment of the

learned Single Judge of this Court dated 23.06.2021 in CWP No.3047 of 2020 (Jagdish Kumar & others Versus State of Himachal Pradesh & others) which has been upheld by the Division Bench of this Court in LPA No.104 of 2021 (State of H.P. and others Versus Sh. Jagdish Kumar and others and connected matters), decided on 23.02.2022. Special Leave to Appeal(C) No.6124 of 2022 (The State of Himachal Pradesh & Ors. Versus Jagdish Kumar & Ors.) filed against the said order has also been dismissed by the Supreme Court, vide order dated 17.05.2022. The learned Counsel for the petitioners says that the petitioners would be content if the case of the petitioners are considered in light of the aforesaid judgments.

3. In view of the above, we dispose of the petition by directing the respondents to consider the case(s) of the petitioners in light of the aforesaid judgments and take a decision thereon within a period of eight weeks from today.

4. The petition to stand disposed of accordingly. Pending miscellaneous application(s), if any, also to stand disposed of.