
(2023) 09 SHI CK 0082
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 5385 Of 2023

Mahesh Kumar

APPELLANT

Vs

Himachal Road Transport Corporation And Others

RESPONDENT

Date of Decision : 27-09-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2023) 09 SHI CK 0082

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : S.P. Chatterji, Dheeraj K. Vashishta

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

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

“(i) Respondent be directed to regularize the services of the petitioner from his initial date of appointment on Contract basis i.e. 29.05.2013, by giving him regular pay of scale of Conductor along with all consequential benefits viz. seniority, promotion and pay fixation etc.

ii) That the arrears of salary may be ordered to be paid along with interest at market rate.”

2. Learned counsel for the parties are ad-idem that the issue raised in the instant petition has been settled by this Hon'ble Apex Court in Himachal Road Transport Corporation v. Lekh Ram Etc. Etc., Civil Appeal Nos. 1557-1564 of 2019, decided on 8.2.2019 and by this Court in CWP No. 226 of 2020 titled Ranjeet Singh v. Himachal Road Transport Corporation, decided on 7.8.2020.

3. In view of aforesaid fair stand adopted by learned counsel for the parties, present petition is disposed of with a direction to the respondents to consider

and decide the case of the petitioner in light of Lekh Ram supra and Ranjeet Singh supra, within a period of four weeks. Needless to say, authority concerned shall afford opportunity of hearing to the petitioner and pass a speaking order thereafter. Liberty is reserved to the petitioner to file appropriate proceedings in appropriate court of law, if he still remain aggrieved.

All pending application(s), if any, also stands disposed of.