

(2012) 01 SHI CK 0059
In the High Court Of Himachal Pradesh
Case No : CWP No. 11914 of 2011-B

Mohan Lal Chauhan and Others

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 06-01-2012

Acts Referred:

Citation : (2012) 01 SHI CK 0059

Hon'ble Judges : Kurian Joseph, C.J;V.K. Ahuja, J

Bench : Division Bench

Judgement

Justice Kurian Joseph, C.J.—This writ petition is filed mainly with the following prayer:

(1) Issue a writ of mandamus to the respondents to pay appropriate Dearness allowance including merger thereof on the pay scale of the post, granted and revised at relevant point of time in terms of the judgment dated 17.11.2009 passed in CWP (T) No. 14232 of 2008 titled as Nek Ram v. State of Himachal Pradesh, judgment dated 30.11.2010 passed in CWP (T) No. 6037 of 2008 titled as HP Rajkiya Prathmik Anubandh Adhyapak Sangh V. State of Himachal Pradesh and judgment dated 31-8-2001 titled as Kamal Singh V. State.

2. As far as the issue of merger of 50% D.A. is concerned, the same is covered in favour of the petitioners by the decision of this Court in CWP (T) No. 14232 of 2008, titled Nek Ram and others v. State of Himachal Pradesh and others. The needful, in the light of the above decision, shall be done in the case of the petitioners and the benefits, if any, to which the petitioners are found eligible, shall be disbursed to them, within a period of two months from the date of production of a copy of this judgment alongwith a copy of the writ petition by the petitioners before the second respondent.

3. As far as the entitlement of the petitioners for revised pay scale is concerned, the parties shall be governed by the decision of this Court in LPA No. 105 of 2010, subject to its finality.

4. The writ petition is disposed of, as above, so also the pending application(s), if any.