

(2023) 10 SHI CK 0030

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 7499 Of 2023

Om Parkash Thakur Alias Om Parkash Verma

APPELLANT

Vs

State Of HP And Others

RESPONDENT

Date of Decision : 06-10-2023

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2023) 10 SHI CK 0030

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Kiran Lata Sharma, Anoop Rattan, Rajan Kahol, Vishal Panwar, B.C. Verma, Ravi Chauhan, Sunaina, Chitrnanjan Kumar Sharma

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

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

"i) That a writ in the nature of mandamus may very kindly be issued thereby directing the respondents to release the revised pensionary benefits to the petitioner i.e. commuted pension, DCRG, arrears of pension and pay.

ii) That, respondent No. 6 may kindly be directed to comply with Annexure P-2 and release the revised pensionary benefits to the petitioner alongwith interest at the rate of 12% per annum, from the date they became due date and till the time of actual payment.."

2. Learned counsel for the petitioner fairly states that the issue raised in the instant petition has been decided by this Court in Dr. Sunil Kumar Chande v. State of Himachal Pradesh, CWP No. 5651 of 2023, decided on 26.9.2023, Gian Chand & Ors. v. State of H.P. & Ors, CWP No. 6439 of 2023, decided on 15.9.2023, and Amit agupta v. State of H.P. & Ors., CWP No. 7359 of 2021

decided on 1.12.2022, and her client shall be content and satisfied, in case a direction is issued to the respondents to consider and decide the case of the petitioner in light of judgments supra, in a time bound manner.

3. Mr. Rajan Kahol, learned Additional Advocate General is not averse to the innocuous prayer made on behalf of the petitioner.

4. Consequently, in view of above, present petition is disposed of with a direction to the respondents to consider and decide the case of the petitioner in light of Dr. Sunil Kumar Chandel, Gian Singh and Amita Gupta, supra, within a period of four weeks. Needless to say, authority concerned, while doing the needful in terms of this order, 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 they still remain aggrieved.

5. The petition stands disposed of in the afore terms, alongwith all pending applications.