
(2010) 10 SHI CK 0064
In the High Court Of Himachal Pradesh
Case No : CWP No. 5276 of 2010

Parkash Chand Kaushal

APPELLANT

Vs

State of H.P. and Others

RESPONDENT

Date of Decision : 21-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0064

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

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The writ petition is filed with the following prayers:

(i) This Hon''ble Court may be pleased to issue a writ of Mandamus directing the respondents to count the adhoc service rendered by the petitioner as Himachal Pradesh Forest Service Officer from 28.2.1986 to 27.6.1996 for the purpose of seniority and promotion with all consequential benefits as per instructions issued by Department of Personnel of the Respondent State dated 30.6.2001 captioned "Counting of temporary/adhoc service towards seniority-Instructions regarding" (Annexure P-6) and confer upon the petitioner all consequential benefits that accrue to the petitioner in terms of instructions dated 30.6.2001 and permit him to serve as officer till the age of 60 years i.e. the age of superannuation of Indian Forest Services Officer.

(ii) This Hon''ble Court may be pleased to direct the Respondent State by issuing a writ of Mandamus to grant to the petitioner benefit ad hoc service rendered by the petitioner as Himachal Pradesh Forest Service Officer from 28.2.1986 to 27.6.1996 for the purpose of seniority and promotion with all consequential benefits as per instructions issued by Department of Personnel of the Respondent State dated 30.6.2001 captioned "Counting of temporary/adhoc service towards seniority-Instructions regarding" (Annexure P 6) and confer upon the petitioner all consequential benefits that accrue to the petitioner in terms of instructions dated 30.6.2001 by holding that judgment dated 27.2.2007 by the learned H.P. State Administrative Tribunal in OA (M) 502/2000 does not bars consideration of

the case of the petitioner on the basis of instructions dated 30.6.2001.

2. There is no reply as yet. The petitioner placed reliance on the instruction issued by the Government on 30th June, 2001. There will be a direction to the first respondent to look into the matter with notice to the petitioner and take appropriate action in accordance with law in the matter within a period of four months from the date of production of a copy of this judgment along with a copy of the writ petition by the petitioner. Consequential benefits, if any, found due to the petitioner will be disbursed to him within another two months.

3. The writ petition is disposed of, so also the pending applications, if any.

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