

(2021) 08 SHI CK 0014

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 4281 Of 2021

Pawan Kumar

APPELLANT

Vs

Himachal Road Transport Corporation & Another

RESPONDENT

Date of Decision : 02-08-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439, 446

Citation : (2021) 08 SHI CK 0014

Hon'ble Judges : Ravi Malimath, J; Jyotsna Rewal Dua, J

Bench : Division Bench

Advocate : Nitish Kaith, V.B. Verma

Final Decision : Disposed Of

Judgement

Ravi Malimath, J

1. The parties are at ad idem that the issue in question is no longer res integra in view of the judgment rendered by a Division Bench of this Court in

CWP No. 3050 of 2014, titled Nek Ram vs. State of Himachal Pradesh and others, decided on 17.07.2014 (Annexure P-1).

2. Accordingly, the instant petition is disposed off on the basis of the ratio laid down in the aforesaid judgment.

3. Consequently, the respondents are directed to release all the pensionary and retiral benefits to the petitioner within a period of four months from

today and thereafter pension shall be released to him regularly on first day of each month.

4. However, it is made clear that in case the pensionary and retiral benefits are not extended to the petitioner within the aforesaid time, then in addition

to the pensionary and retiral benefits, even the petitioner shall also be entitled to interest at the rate of 9% per annum from the due date.

5. The pending miscellaneous applications are disposed off accordingly.