
(2011) 09 SHI CK 0184
In the High Court Of Himachal Pradesh
Case No : C.W.P. (T) No. 975 of 2008

Prabhu Dayal

APPELLANT

Vs

State of Himachal Pradesh and Another

RESPONDENT

Date of Decision : 09-09-2011

Acts Referred:

Citation : (2011) 09 SHI CK 0184

Hon'ble Judges : Rajiv Sharma, J

Bench : Single Bench

Judgement

Rajiv Sharma, J.—Mr. Dilip Sharma, learned Counsel for the Petitioners submits that the present lis is covered by the judgment passed by the Division Bench of this Court in CWP(T) No. 1531 of 2008, titled as The Municipal Employees Union v. State of H.P. and Ors. paragraph No. 7 whereof reads thus:

7. In the nature of order we are propose to take in this case, we do not think it necessary or appropriate to refer to the various contentions taken by the parties since the communications as reflected above show that the Government is seized of the matter. It will be appropriate that the Government takes a final decision in the matter at the earliest. Therefore, the writ petition is disposed of as follows. There will be a direction to the first Respondent to take final decision in the matter referred to above in the communications as extracted above, within a period of three months from the date of production of the copy of the judgment by the Petitioner. In case the Petitioner requests for an opportunity for hearing, the same shall be granted and in case any of the interested/affected parties also request for hearing, the same shall also be granted. Till such orders as above are passed by the Government, the interim orders passed by the Tribunal dated 13.7.1998 and 17.5.1999 will continue, subject to the following modification:

We make it clear that in case of the employees of the Corporation who are otherwise eligible to be promoted in terms of the impugned order if available in the Corporation, they shall be promoted subject to the outcome of the decision by the Government. It is also made clear that in case there are no such eligible

persons available with the Corporation, it will be open to the Respondents to take appropriate arrangement by way of secondment, subject to the out come of the decision by the Government. We make it clear that we have not adverted to the contentions taken by the parties and hence all the contentions are left open.

2. Accordingly, the petitions are disposed of with a direction to the Respondents to take action in view of the directions issued by the Division Bench of this Court in the case cited hereinabove, within a period of three months from the date of production of a certified copy of this judgment by the Petitioners. Till then, the parties are directed to maintain status quo, as of today. The pending application(s), if any, also stands disposed of. No costs.