

(2011) 03 SHI CK 0124
In the High Court Of Himachal Pradesh
Case No : CWP No's. 849 of 2011

Rajesh Kumar

APPELLANT

Vs

H.P. State Electricity Board and Others

RESPONDENT

Date of Decision : 05-03-2011

Acts Referred:

Citation : (2011) 03 SHI CK 0124

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—These writ petitions are filed with the identical prayers, one set of such prayers is as follows:

(a) This Hon''ble Court may kindly be pleased to direct the Respondents by way of issuance of writ of mandamus to consider the Petitioner as having been appointed against the post of T Mate pursuant to office order dated 11.8.2008 on regular basis for all intents and purpose and further this Hon''ble Court may be pleased to issue a writ of certiorari quashing the word `contract" from the appointment letter dated 11.8.2008 issued to the Petitioner on contract basis;

(b) This Hon''ble Court may further be pleased to issue a writ of mandamus directing the Respondent State to pay to the Petitioner all the emoluments he is entitled as a regular employee in the establishment of Respondent No. 3 w.e.f. Petitioner's date of his initial appointment with all consequential benefits including counting the period for the purpose of seniority etc.

2. The issue has been considered by this Court in Annexure P-5 Judgment, in CWP No. 2466 of 2010 alongwith connected matters, wherein the following direction has been issued:

There will be a direction to the Director, Animal Husbandry to see whether 3% quota of disabled persons has been met in the category of regular beldars. In case there is deficiency in the 3% quota in the cadre strength of regular beldars,

the persons recruited in these cases shall be adjusted against those regular vacancies, since the recruitment process is the same for daily wages beldars and regular beldars, . We make it clear that it is open to the Animal Husbandry department to ear-mark separate quota of 3% as against the daily waged beldars as well, subject to fulfillment of regular beldars in the ear-marked quota of 3%. Needful adjustments in the case of Petitioners in the light of this judgment shall be done by the Director, Animal Husbandry, within a period of four months from the date of production of copy of this judgment by the Petitioners. Consequential benefits shall also be disbursed within another period of two months.

3. These writ petitions are also disposed of in terms of the directions as above, with a further direction to do the needful in the case of the Petitioner(s) within three months from the date of copy of the judgment alongwith a copy of the writ petition by the Petitioner concerned.