

(2021) 05 SHI CK 0073

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 2837 Of 2021

Rakesh Kumar

APPELLANT

Vs

Himachal Pradesh Road Transport Corporation & Anr

RESPONDENT

Date of Decision : 07-05-2021

Acts Referred:

Citation : (2021) 05 SHI CK 0073

Hon'ble Judges : Tarlok Singh Chauhan, J;Chander Bhusan Barowalia, J

Bench : Division Bench

Advocate : Manohar Lal Sharma, Shubh Mahajan

Judgement

Tarlok Singh Chauhan, 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 17.7.2014.

2. Accordingly, the instant petition is disposed of 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 three 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. Pending

application(s), if any, also stands disposed of. No order as to costs.

For compliance, to come up on 11th August, 2021.