

(2022) 11 SHI CK 0037

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition (Original Application) No. 5870 Of 2020

Ramesh Chand

APPELLANT

Vs

State Of Himachal Pradesh And Ors

RESPONDENT

Date of Decision : 21-11-2022

Acts Referred:

Citation : (2022) 11 SHI CK 0037

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Parveen Chandel, Sudhir Bhatnagar, Narender Guleria, Sunny Dhatwalia, Angrez Kapoor

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By of present writ petition, petitioner has prayed for following main reliefs:

"(i) Direct the respondent to appoint the Applicant as Physical Education Teacher as per his merit.

(ii) Direct the Respondent to treat the CPED one year Diploma as equivalent to DPED Two Year Diploma"

2. Though reply to the petition has been filed by respondent No.2, but before case at hand could be heard and decided on its own merits, but learned counsel appearing for the petitioner while inviting attention of this Court to judgment dated 19.7.2022, passed by this Court in CWPOA No. 3573 of 2019 Sh. Yog Raj and Ors. v. State of HP and Anr. (along with connected matters), submits that issue raised in the instant petition is squarely covered with the aforesaid judgment and as such, petitioner would be content and satisfied in case directions are issued to the respondents to consider and decide his case in light of the aforesaid judgment in a time bound manner. Learned Additional Advocate General is not averse to the aforesaid prayer made by the petitioner.

3. Having perused averments contained in the petition vis-à-vis judgment sought to be relied upon, this Court finds that issue raised in the instant petition already stands adjudicated by this Court in CWPOA No. 3573 of 2019 and as such, there appears to be no impediment in directing the respondents to consider and decide case of the petitioner in light of judgment supra.

4. Consequently, in view of the above, present petition is disposed of with direction to the respondents to consider and decide the case of the petitioner in light of the aforesaid judgment rendered by this Court in Yog Raj's case (supra), expeditiously, preferably within six weeks. In case petitioner is found similarly situate to the case of Yog Raj, similar benefit shall be granted to him. Needless to say, authority concerned while doing the needful in terms of the instant order shall afford an opportunity of hearing to the petitioner and pass detailed speaking order thereupon.

5. In the aforesaid terms, present petition is disposed of alongwith pending applications, if any. However, liberty is granted to the petitioner to file appropriate proceedings before appropriate court of law, if he still remains aggrieved.

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