

(2025) 12 SHI CK 1797

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No 18782 Of 2025

Ramesh Chand

APPELLANT

Vs

State Of H.P. And Others

RESPONDENT

Date of Decision : 02-12-2025

Acts Referred:

Citation : (2025) 12 SHI CK 1797

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Ashwani K. Sharma, Rajat Choudhry

Final Decision : Disposed Of

Judgement

Jyotsna Rewal Dua, J

1. Notice confined to respondents No.1 to 3, which is waived by Mr. Rajat Choudhry, learned Assistant Advocate General.

2. Heard.

3. Petitioner seeks removal of pay anomaly vis-à-vis the pay drawn by S/Sh. Vidya Sagar and Karam Chand Sharma (respondents No.4 and 5), stated to be his juniors. As per the case pleaded, the pay anomaly was first detected by the petitioner in the year 2009. Learned counsel for the petitioner does not dispute that the cause of action had accrued to the petitioner in the year 2009, whereas, the first representation preferred by the petitioner for removing the alleged pay anomaly was on 26.12.2023. Petitioner is presently aged 62 years and had retired in the year 2020.

4. At this stage, learned counsel for the petitioner submitted that one of the reasons, which weighed with the respondents in not stepping up his pay, was on account of enhancement of his Grade Pay w.e.f. 01.10.2012. Learned counsel for the petitioner submits that the petitioner would be satisfied in case he is permitted to make a representation to respondent No.3 regarding his eligibility

for Assured Career Progression Scheme (ACPS) and the said authority is directed to consider the same in view of the law laid down in Sanjay Kumar Versus State of Himachal Pradesh & others[CWPOA No.5536 of 2020, decided alongwith connected matters on 01.11.2023] within a fixed time schedule. Learned Assistant Advocate General is not averse to this prayer.

5. Having regard to the afore-submissions, but without examining the merits of the matter, this writ petition is disposed of by permitting the petitioner to file a representation to respondent No.3/competent authority within two weeks from today, whereafter, the same shall be considered and decided by the said authority in accordance communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.