

(2010) 10 SHI CK 0044
In the High Court Of Himachal Pradesh
Case No : CWP No. 6277 of 2010

Sabair Dass

APPELLANT

Vs

Union of India (UOI) and Others

RESPONDENT

Date of Decision : 05-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0044

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

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The writ petition is filed with the following prayers:

(i) That a writ in the nature of certiorari may kindly be issued thereby Annexure P-9 dated 8.9.2010 passed by learned Central Administrative Tribunal may kindly be quashed and set aside.

(ii) That a writ in the nature of mandamus kindly be issued to the respondents directing the respondents to adjust the petitioner at vacant places either at Rohru or in Hartkoti and further now anywhere in and around Shimla where the medical facilities are available, in the interest of justice.

(iii) That a writ in the nature of mandamus kindly be issued to the respondents directing the respondents to release the upto date salary to the petitioner by treating him on leave for which he had already applied to the respondents.

2. It is seen from the record that the main matter is pending before the Central Administrative Tribunal, Chandigarh. In the nature of the grievance raised by the petitioner, it will be appropriate that the Tribunal takes a final decision in the matter at the earliest. We are informed that the matter now stands posted to 18.10.2010. The Tribunal may dispose of the matter within another one month since the parties submit that they are co-operating each other. The petitioner submits that in view of the acute ailment of his wife, he may be accommodated in any of the two vacant places either at Hartkoti or at Rohru, or anywhere in and

around Shimla and, if that is not possible, the petitioner may be permitted to avail the leave. This is a matter of 3rd respondent. Therefore, we direct 3rd respondent to see as to whether it is possible and feasible to accommodate the petitioner in view of the acute ailment of his wife in any of the two vacant places either at Hartkoti or at Rohru, or anywhere in and around Shimla, and if that is not possible, he may be granted leave till the matter is finally disposed of. If due and admissible salary to the petitioner has not been disbursed, the same shall be disbursed to him within two weeks from the date of production of a copy of this judgment by the petitioner.

3. With above observations, the writ petition is disposed of, so also the pending application(s), if any.