

(2023) 08 SHI CK 0074

In the High Court Of Himachal Pradesh

Case No : Civil Writ Petition No. 5346 Of 2020

Santosh Kumar

APPELLANT

Vs

HRTC & Anr

RESPONDENT

Date of Decision : 14-08-2023

Acts Referred:

Citation : (2023) 08 SHI CK 0074

Hon'ble Judges : Jyotsna Rewal Dua, J

Bench : Single Bench

Advocate : Abhinav Purohit, Srishti Chauhan, Gourav Sharma, Dheeraj K. Vashishat

Final Decision : Disposed Of

Judgement

Jyotsna Rewal Dua, J

1. This writ petition has been filed for the grant of following substantive relief:-

"(I) That the writ in the nature of mandamus may very kindly be issued to the respondent corporation to pay the over stay allowance to the petitioner w.e.f. 21.01.2018 to 09.04.2021 with interest @ 12% per annum as per the judgment passed by this Hon'ble Court in CWP No.3097/2014 titled as Devender Chauhan, Versus HRTC and another, decided on 01.04.2015, contained in Annexure P-5."

2. Learned vice counsel for the petitioner submitted that the issue raised in the petition is squarely covered by the judgment rendered in CWP No. 3097/2014 (Devender Chauhan Vs. Himachal Road Transport Corporation & Ors.) decided on 01.04.2015. Learned vice counsel for the petitioner further submitted that the petitioner would be content, in case, respondents/competent authority are directed to consider and decide the case of the petitioner, in light of the law laid down in the aforesaid judgment, in a time bound manner. Prayer is not opposed by learned vice counsel for the respondents.

3. In view of the stand taken by learned vice counsel for the parties, but without

going into the merits of the case, the writ petition is disposed of by directing the respondents/competent authority to consider and decide the case of the petitioner, in accordance with law and in light of the aforesaid judgment within a period of six weeks by passing a reasoned order, which shall be communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of.