

**(2023) 04 SHI CK 0015**  
**In the High Court Of Himachal Pradesh**  
**Case No : Civil Writ Petition No.1514 Of 2019**

Seema

APPELLANT

Vs

State Of Himachal Pradesh And Ors

RESPONDENT

**Date of Decision :** 04-04-2023

**Acts Referred:**

Constitution Of India, 1950 — Article 226

**Citation :** (2023) 04 SHI CK 0015

**Hon'ble Judges :** Sandeep Sharma, J

**Bench :** Single Bench

**Advocate :** Maan Singh, Anup Rattan, Rajan Kahol, Vishal Panwar, B.C. Verma, Rahul Thakur, Ravi Chauhan

**Final Decision :** Disposed Of

## Judgement

Sandeep Sharma, J

1. By way of instant petition filed under Article 226 of the Constitution of India, petitioner has prayed for following main reliefs:

(I) That a writ in the nature of mandamus may very kindly be issued thereby directing the respondents to extend the benefit of PTA Grant-in-Aid Rules, 2006 to the petitioner without any discrimination for the period, petitioner worked with the respondent No.4 School i.e. from November, 2009 to May, 2018.

(II) That the instant writ petition may be allowed and respondents may be directed to extend benefit of PTA grant-in-aid Rules 2006 to the petitioner in light of the judgments passed by this Hon'ble Court in CWP Nos. 2259 of 2017 and CWP NO. 2706 of 2018."

2. Before case at hand could be heard and decided on its own merits, learned counsel for the petitioner states that petitioner would be content and satisfied in case his case is ordered to be considered and decided in light of the judgments dated 26.3.2018 & 27.6.2019, passed by a Division Bench of this Court in CWP

Nos. 2259 and 2316 of 2017, Rajeshwari Devi v. State of Himachal Pradesh and Ors & Roshan Lal v. State of Himachal Pradesh and Ors. and CWP No. 2706 of 2018, Shri Virender Kumar & Ors. v. State of Himachal Pradesh and Ors, in a time bound manner. Learned Additional Advocate General is not averse to the aforesaid prayer made by the petitioner.

3. Having perused judgment sought to be relied upon vis-à-vis issue raised in the instant petition, this Court finds that issue raised in the instant petition already stands adjudicated by the Division Bench of this Court in the aforesaid judgments and as such, no prejudice if any, would be caused to either of the parties if case of the petitioner is ordered to be considered in light of the aforesaid judgments passed by the Division Bench of this Court.

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 judgments rendered by Division Bench of this Court, expeditiously, preferably within four weeks. In case petitioner is found similarly situate to the petitioner(s) in aforesaid judgments, similar benefit shall be granted to her. 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.