

(2012) 03 SHI CK 0187
In the High Court Of Himachal Pradesh
Case No : CWP No. 9874 of 2011-H

Shri Amar Chand

APPELLANT

Vs

State of H.P.

RESPONDENT

Date of Decision : 13-03-2012

Acts Referred:

Citation : (2012) 03 SHI CK 0187

Hon'ble Judges : Kurian Joseph, J; Dharam Chand Chaudhary, J

Bench : Division Bench

Advocate : Javed Khan, for the Appellant; R.K. Bawa, Advocate General, with Mr. J.K. Verma, D.A.G., for the Respondent

Judgement

Justice 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 quashing impugned order of re-fixation of pay dated 12.08.2011 and further the recovery of Rs. 20,958/- to be declared null and void.

(ii) That a writ in the nature of mandamus may kindly be issued directing the respondents to fix pay at Rs. 6400/- per month as has been fixed as per the earlier Roll w.e.f. 1.1.1999 instead of Rs. 6,000/- and pay the pensionary benefits accordingly to the petitioner with all consequential benefits due and admissible (arrears etc.) to the petitioner from time to time on the last basic pay of Rs. 6400/-."

It is submitted that case of the petitioner is covered by the judgment of this Court dated 2.06.2009 in CWP(T) No. 7806 of 2008, titled as Dr. Gopal Sharma Vs. State of H.P. and others. The said decision was thereafter followed in Jiwan Singh and others Vs. State of H.P. and others, decided on 20th April, 2010 in CWP(T) No. 6522 of 2008. In case the petitioner herein is also similarly situated and in case the judgment in Jiwan Singh's case supra, has been implemented in the case of petitioners therein, a similar treatment shall be extended to the petitioner herein also. Needful shall be done within a period of two months from

the date of production of the copy of this judgment by the petitioner before the competent authority. The writ petition is disposed of, so also the pending application(s), if any.