

(2012) 03 SHI CK 0349
In the High Court Of Himachal Pradesh
Case No : CWP No. 328 of 2012-C

Shri Rattan Singh

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 07-03-2012

Acts Referred:

Citation : (2012) 03 SHI CK 0349

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

Bench : Division Bench

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 very kindly be issued directing the respondents to revise the pensionary benefits of petitioner as per judgment dated 31.7.2008 passed in CWP No. 1802/2002 titled as State of H.P. Vs. Basheshwar Lal, Annexure P-1, by taking into account the past service rendered by him in Panchayat Samiti towards service under the Panchayati Raj Department, with all consequential benefits.

(ii) That the writ in the nature of Mandamus or any other appropriate writ, order or direction may kindly be issued directing the respondents to release all the retrial benefits in favour of the petitioner after counting the services rendered by him in the Panchayat Samiti with all consequential benefits including interest @9%.

According to the petitioner, the issue is covered by a judgment rendered by this Court in CWP No. 1802 of 2002, titled as State of Himachal Pradesh and others versus Basheshwar Lal, decided on 31.7.2008. In case the petitioner is similarly situated as the respondent in the judgment cited herein above, his case shall also be considered in the light of Annexure P-2 judgment and appropriate action in the matter including the disbursement of eligible benefits will be taken within a period of four months from the date of production of a copy of this judgment along with a copy of the writ petition by the petitioner before the second

respondent.

3. With the above observations, the writ petition is disposed of. Pending application(s), if any, shall also stand disposed of.