
(2012) 12 SHI CK 0023
In the High Court Of Himachal Pradesh
Case No : CWP No. 2762 of 2009

Smt. Usha Rani Gupta

APPELLANT

Vs

State of Himachal Pradesh

RESPONDENT

Date of Decision : 27-12-2012

Acts Referred:

Citation : (2012) 12 SHI CK 0023

Hon'ble Judges : Dharam Chand Chaudhary, J

Bench : Single Bench

Advocate : Ranjana Parmar, for the Appellant; Rajinder Dogra, Additional Advocate General, for the Respondent

Judgement

Justice Dharam Chand Chaudhary, J.—By means of this writ petition, following relief has been sought:

i) That writ of certiorari may be issued and order dated 25.9.03 Annexure P-5 and Annexure P-7 may be quashed and set aside and writ of mandamus may very kindly be issued to respondent to allow the petitioner the pay scale of 5480-8925 with all consequential benefits. The respondent be directed to released all increments to the petitioner with arrears thereof with interest.

Learned counsel submits that the issue in this writ petition is covered in favour of the petitioner by the judgment dated 22.3.2010 of this Court in CWP(T) No. 6018/2008 titled Madan Lal Tomar and others Vs. State of H.P. and another and that of erstwhile Administrative Tribunal dated 26.7.1993 in OA No. /TA NO. 543/1996 alongwith TA-554/1986, TA-324/1986 and TA-320/1986 titled D.R. Chauhan and others Vs. State of H.P. and others. The point in issue is stated to be covered in favour of the petitioner even by the judgment dated 15.7.2010, again that of this Court in CWP No. 2065 of 2010 titled Kavita Kiran and others Vs. state of H.P. and another.

2. Learned counsel submits that the judgment rendered by this Court in Madan Lal Tomar's case cited supra though was further assailed before this Court in a

Letter Patent Appeal and even in the Apex Court also by filing a Special Leave Petition, however, affirmed by this Court and also the Apex Court. Also that the above judgments have since attained finality and stand implemented by the respondents. It being so, there is no need to enter into the controversy in this writ petition on merits and a direction to the respondents to consider the case of the petitioner in the light of the judgments, cited supra, would serve the ends of justice. Consequently, there shall be a direction to the 2nd respondent to consider the claim of the petitioner for grant of revised version pre 1996 pay revision scale of Rs. 300-600 with all consequential benefits, within two months from the date of production of a copy of this judgment by the petitioner before the 2nd respondent.

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