
(2021) 02 SHI CK 0254
In the High Court Of Himachal Pradesh
Case No : Civil Writ Petition No. 464 Of 2021

State Of H.P And Others

APPELLANT

Vs

Sanjay Kumar

RESPONDENT

Date of Decision : 22-02-2021

Acts Referred:

Citation : (2021) 02 SHI CK 0254

Hon'ble Judges : Sureshwar Thakur, J;Chander Bhusan Barowalia, J

Bench : Division Bench

Advocate : Ashwani Sharma

Final Decision : Disposed Of

Judgement

Sureshwar Thakur, J

1. The operative part of the order made by the erstwhile Himachal Pradesh Administrative Tribunal, on 1.8.2018, upon, O.A No. 4482 of 2018, is reproduced hereinafter, and, a perusal thereof discloses that it is merely an order directing the respondents therein, to, consider the writ espousals, of, the respondent.

â??6. In view of the above, the original application is disposed of in terms of the aforementioned order/judgment with a direction to the respondents/competent authority that subject to the above verification and on finding the applicant to be similarly situate as above, benefit of the said order/judgment, if the same have attained finality/implemented shall also be extended to him alongwith consequential benefits, if any, as per law, within three months from the date of production of certified copy of this order before the said authority by the applicant.â??

2. The afore signification carried by the operative part, of, the order made by the

erstwhile Tribunal, does not render it to acquire any tinge or overtone, of it being a peremptory mandate, upon, the petitioners, to, confer the espoused benefits to respondent. Hence, the petitioner/employer concerned is directed to pass an order, considering, in accordance with law, the claim of the respondent. The afore order be made within four weeks from today. It is reiteratedly clarified that the order made by the employer shall be made in consonance with law. Any order made by the employer concerned shall be assailable before the appropriate Court of law.

3. In view of the above the present petition stands disposed of alongwith all pending applications.