
(2010) 10 SHI CK 0149
In the High Court Of Himachal Pradesh
Case No : CWP No. 4657 of 2009

Surender Kumar Sharma and Others	Vs	APPELLANT
State of Himachal Pradesh and Others		RESPONDENT

Date of Decision : 27-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0149

Hon'ble Judges : Deepak Gupta, J

Bench : Single Bench

Judgement

Deepak Gupta, J.—By means of this petition, the petitioners have prayed for the following amongst other reliefs:

(i) Quashing the impugned decision reflected in letter dated 19.11.2009, Annexure P-5;

(ii) That the respondents may be directed to fill up the 258 posts of Pharmacists strictly as per decision reflected in letter dated 18.8.2008, Annexure P-9 to P1, as modified by this Hon''ble Court vide judgment dated 27.7.2009, Annexure P-4 with all consequential benefits.

2. The respondents have filed an application being CMP No. 10331 of 2010 wherein they have made the following averments:

3. That the Government has taken a decision to implement the orders of the Hon''ble High Court dated 27.7.2009 in letters and spirit and also to withdraw the subsequent letter dated 19.11.2009.

4. That the process to recruit 258 Nos. of Pharmacist as detailed above has to be initiated afresh, for which the necessary action has to be taken accordingly after disposal of the CWP No. 4657 of 2009 in terms of the above decision of the Government and any other further direction of Hon''ble Court.

5. That in view of the above stated developments and decision subsequent to the

filing of the petition, the present petition has become infructuous and deserves to be disposed as such.

6. That due to large number of vacancies of Pharmacists, public at large is facing great hardship, inconvenience and difficulty. Therefore, present petition deserves to be disposed of with permission to fill up these posts as per latest decision of the Respondents taken in consonance with the directions issued by the Hon''ble Court.

3. In view of the averments made in the application filed by the Government itself, it is apparent that the Government has taken a decision to implement the order of the High Court dated 27.7.2009 and to withdraw the letter dated 19.11.2009.

4. In view of the averments made by the respondents-State it is apparent that the respondent State has accepted all the claims of the petitioners and the petition thus has become infructuous. The stand of the Government itself is that large number of vacancies of Pharmacists are lying vacant in the State due to which public at large is facing great hardship, inconvenience and difficulty.

5. Therefore, the only direction which is being issued is that the posts of Pharmacists be filled at the earliest and in any event not later than 31st July, 2011.

6. The petition is disposed of in the aforesaid terms so also the pending applications.