



**IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA**

**CWP No. 1521 of 2024.**

**Date of Decision : 18<sup>th</sup> March, 2024.**

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Rakesh Kumar

**...Petitioner.**

Versus

HRTC & Anr.

**....Respondents.**

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**Coram:**

**The Hon'ble Mr. Justice Satyen Vaidya, Judge.**

*Whether approved for reporting?*<sup>1</sup>

**For the Petitioner:**

Mr. Ashok Kumar, Advocate.

**For the Respondents:**

Ms. Shrutika Chauhan, Advocate,  
vice Mr. Dheeraj K. Vashist,  
Advocate.

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**Satyen Vaidya, Judge (Oral).**

The instant petition has been filed for the following substantive reliefs:-

- "i) *That respondents may kindly be directed to release/make actual payment of all remaining retiral benefits of the petitioner along with 9% interest forthwith, for delay on the part of respondent corporation and loss of accretion of capital, from due date till actual payment is made, being a squarely covered matter with CWP No. 3050/2014, titled as Nek Ram v/s*

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<sup>1</sup> Whether reporters of the local papers may be allowed to see the judgment?

...2...

*State of H.P. & Ors. and cwp No. 605/2019, titled as Hukam Chand vs. HRTC. Further respondent smay also be directed to pay interest on the all delayed payments from the due date. Further the respondent may kindly be directed to calculate the DCRG of the petitioner in consonance with the prevailing Dearness Allowances & Arrears along with interest at all delayed payments from the due date.”*

2. At the very outset, learned counsel for the petitioner has submitted that the subject matter of instant petition is squarely covered by a judgment passed by a Division Bench of this Court on 17<sup>th</sup> July, 2014, in **CWP No.3050 of 2014, titled as Nek Ram vs. State of Himachal Pradesh & Ors.**

3. He submits that the petitioner in the instant petition shall be satisfied, at this stage, in case time bound directions are issued to respondent-corporation to consider and decide the case of the petitioner in light of judgment passed by the Division Bench of this Court in CWP No. 3050 of 2014.

4. Prayer being innocuous is not opposed. Accordingly, the instant petition is disposed of with direction to respondent-

...3...

Corporation to consider and decide the case of the petitioner within eight weeks from today strictly in terms of the judgment passed by the Division Bench of this Court on on 17<sup>th</sup> July, 2014, in CWP No.3050 of 2014, titled as Nek Ram vs. State of Himachal Pradesh & Ors., by passing a detailed and reasoned order. Needless to say that in case the petitioner is found entitled to the benefits of aforesaid judgment, he shall be granted all similar benefits as have been granted to the beneficiary of judgment passed in CWP No.3050 of 2014 within six weeks thereafter. Pending applications, if any, also stand disposed of.

18<sup>th</sup> March, 2024  
(jai)

**(Satyen Vaidya)**  
**Judge**