IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.15702 of 2024
Date of decision: 31.12.2024

Mohan Lal. ...Petitioner.

Versus

State of H.P. & Ors. ...Respondents.

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner : Mr. Kamlesh Kumar, Advocate.

For the respondents : Mr. Sikander Bhushan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Petitioner seeks a direction to the respondents to allow him to continue in service till his attaining the age of 60 years in light of law laid down in ***Satya Devi vs. State of H.P. & Ors***[1].

2. Noticing the contention of the petitioner, following order was passed in the matter on 20.12.2024:-

> *"Notice. Mr. Y.P.S. Dhaulta, Additional Advocate General, appears and waives service of notice on behalf of the respondents.*
>
> ***2.*** *The petitioner's contention is that his case is covered under the decision rendered in CWP No.2274/2021 (Satya Devi Vs. State of H.P. & Ors.) decided on 28.05.2024 along with connected matters and in terms of this decision, the petitioner is entitled to the benefits flowing from the above decision and also liable to serve with the*

[1]CWP No.2274 of 2021, decided along with connected matters on 28.05.2024

Whether reporters of Local Papers may be allowed to see the judgment? Yes

High Court of H.P.

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respondents till him attaining the age of 60 years, which he will attain on 31.12.2026

3. *Petitioner's grievance is that the respondents are not extending the benefit of judgment to him and bent upon to retire him on his attaining the age of 58 years on 31.12.2024.*

4. *In view of above, let learned Additional Advocate General have instructions from respondents, as to whether the case of the petitioner is covered by the aforesaid decision in Satya Devi (supra) or not. Instructions be obtained by the next date.*

List on 27.12.2024."

3. Respondents in their instructions dated 30.12.2024 have not disputed that the case of the petitioner is covered by the aforesaid decision in *Satya Devi's*[1] case. Therefore, there shall be a direction to the respondents to confer the benefit of the aforesaid decision to the petitioner and allow him to continue in service till he attains the age of 60 years. This, shall, however, be subject to outcome of the SLP filed by the respondents in the aforesaid decision.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

31th December, 2024
(Pardeep)

High Court of H.P.

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