IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 16602/2024
Decided on: 31.12.2024

Puran Chand …Petitioner

Versus

State of H.P. & Ors.

….Respondents.

……

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner: **Mr. Ashish Verma, Advocate.**

For the respondents: **Ms. Leena Guleria, Deputy Advocate General, for respondents No.1 to 3.**

Mr. Tara Chand Chauhan, Advocate, for respondent No.4.

***Jyotsna Rewal Dua* , J**

Notice. Ms. Leena Guleria, learned Deputy Advocate General, accepts notice on behalf of the respondents.

2. This writ petition has been filed for the grant of following substantive reliefs:-

> *" (i) That the respondent department may kindly be directed to extend the benefit of the judgment passed by the Hon'ble Apex court of India i.e. Balo Devi Vs/ State of H.P. & Others decided on 18.7.2022 and pensionery benefits may kindly be granted to the petitioner as per Central Civil Services (Pension) Rules, 1972 as*

[1] *Whether reporters of the local papers may be allowed to see the judgment?*

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amended upto date (04-05-2023) with all consequential benefits are annexed as Annexure P-3 and P-4 with the Petitioner forthwith all consequential benefits.

II) That the respondent department may also kindly be directed to grant pension, gratuity, leave encashment, computation and pension arrears etc along with interest, @9% per annum from the due date till the date of its realization."

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that his representation dated 30.11.2024 (Annexure P-2) has still not been decided by the respondents/competent authority.

4. Once the legal principle involved in the adjudication of present petition has already been decided, it is expected from the welfare State to consider and decide the representation of the aggrieved employee within a reasonable time and not to sit over the same indefinitely compelling the employee to come to the Court for redresssal of his grievances. This is also the purport and object of the Litigation Policy of the State. Not taking decision on the representation for months together would not only give rise to unnecessary multiplication of the litigation but would also bring in otherwise avoidable increase to the Court docket on unproductive government induced litigation.

5. In view of above, the instant petition is disposed of by directing respondents/competent authority to consider and decide the aforesaid representation of the petitioner, in accordance with law

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within a period of six weeks from today. The order so passed be also communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

31st December, 2024(rohit)

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