IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16618 of 2024
Date of decision: 31.12.2024

Shwet Ram & Ors. ...Petitioners.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner : Mr. Neeraj Sharma, Advocate, vice Mr. Surender Sharma, Advocate.

For the respondents : Ms. Leena Guleria, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Ms. Leena Guleria, Deputy Advocate General, appears and waives service of notice on behalf of the respondents.

2. This writ petition has been filed for the grant of following substantive relief(s):-

> *"i). That the respondents may kindly be directed to grant the benefit of financial up-gradation/time scale to the petitioners on completion of their 4 years of regular service strictly as per the provisions contained in the New ACP Scheme (Annexure-P5) w.e.f. the year 2019/2020, with all consequential benefits;*
>
> *(ii) That the respondents may kindly be directed to pay interest @ 9% per annum on the arrears of ACP increments to the petitioners;"*

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

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3. According to the petitioners, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioners is that their representations dated 20.10.2024 (Annexure P-7 Colly.) have 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 redressal of their 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 the above, this writ petition is disposed of by directing the respondents/competent authority to consider and decide the aforesaid representations of the petitioners in accordance with law within a period of six

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weeks from today. The order so passed be also communicated to the petitioners.

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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