

(2024) 03 SHI CK 0071

High Court Of Himachal Pradesh

Case No: Civil Writ Petition No. 2465 Of 2024

Shaman Kumar

APPELLANT

Vs

Imachal Pradesh University And  
Another

RESPONDENT

**Date of Decision:** March 22, 2024

**Hon'ble Judges:** Ajay Mohan Goel, J

**Bench:** Single Bench

**Advocate:** Radhey Shyam Gautam, Archana Dutt, Pushpender Jaswal

**Final Decision:** Disposed Of

Judgement

Ajay Mohan Goel, J

1. Notice. Mrs. Archana Dutt, learned Counsel and Mr. Pushpender Jaswal, learned Additional Advocate General, accept notice on behalf of respondents No. 1 and 2, respectively.

2. By way of this petition, the petitioner has primarily prayed for the following reliefs:-

"i) That the impugned action of the respondents excluding the component of Secretariat Pay while calculating the pension and other retiral benefits of the petitioner may be quashed and set aside while issuing writ in the nature of Certiorari.

ii) That the respondents may be directed to include the Secretariat Pay in the Basic Pay and calculate the pension and retiral benefits of petitioner like Gratuity, Leave Encashment and Commuted value of pension on the total pay of the petitioner i.e. Rs.35,970/- and further fix the pension at Rs.17,985/- per month and pay the arrears of pension and retiral benefits w.e.f. 1st March, 2020 with interest in view of the Judgment dated 18.10.2022 passed by Hon'ble High Court in CWPOA No. 208/2020 titled Durga Ram & others Versus H.P. University & another while issuing writ in the nature of mandamus."

3. Learned Counsel for the petitioner has submitted that the relief being prayed for by the petitioner is squarely covered by the judgment passed by this court in CWPOA No. 208 of 2020, titled as Durga Ram and others vs. H.P. University and another.

4. It appears that the petitioner has not filed any representation to the respondents with regard to the relief being prayed for in the writ petition.

Therefore, as prayed for, this writ petition is disposed of with liberty to the petitioner to make a representation to the competent authority within a period of one week from today, praying for the reliefs mentioned in this writ petition and citing therein the judgments being relied upon by him, with direction that appropriate orders thereupon,

in light of the judgment being relied upon by the petitioner, be passed by the competent authority within a period of four weeks from the date of receipt of the representation. Pending miscellaneous application(s), if any also stand disposed of accordingly.