

(2024) 04 SHI CK 0009

High Court Of Himachal Pradesh

Case No: Civil Writ Petition No. 2786 Of 2024

Ram Singh Verma & Ors

APPELLANT

Vs

State Of H.P. & Ors

RESPONDENT

Date of Decision: April 3, 2024

Hon'ble Judges: Satyen Vaidya, J

Bench: Single Bench

Advocate: Ashwani K. Sharma, L.N. Sharma

Final Decision: Disposed Of

Judgement

Satyen Vaidya, J

1. Notice. Mr. L.N. Sharma, Additional Advocate General, appears and waives service of notice on behalf of the respondents.

2. The instant petition has been filed for grant of following substantive relief:-

“A. Writ of mandamus be issued by directing the respondent authorities to release due and admissible arrears of Revised Leave Encashment, accrued in their favour on account of revision of pay scale and resultant financial up-gradation arising therefrom w.e.f. 1.1.2016, after their superannuation, with interest. Further, the difference in Leave Encashment on account of revision of pay scale and resultant financial upgradation w.e.f., 01.01.2016 has become their legal enforceable and legitimate right in term of authoritative pronouncement given by Hon'ble High Court in CWP No. 7359 of 2021, dated 01.12.2022 titled as Amita Gupta Vs. State of H.P. & Ors.”

3. It has been submitted by learned counsel for the petitioners that issue akin to the one raised in the instant petition has already been decided by this Court vide judgment dated 01.12.2022, passed in CWP No. 7359 of 2021, titled as Amita Gupta Vs. State of H.P. & Ors. He has further submitted that the petitioners herein shall be satisfied, at this stage, in case the respondent-State is directed to consider and decide the case of petitioners in light of aforesaid judgment in a time bound manner.

4. Prayer being innocuous is not opposed.

5. Without adverting to the merits of the case, the instant petition is disposed of with direction to the competent authority to consider and decide the case of the petitioners within eight weeks from today strictly in terms of the judgment passed by this Court on 1st December, 2022, in CWP No. 7359 of 2021, titled as Amita Gupta Vs. State of H.P. & Ors., by passing a detailed and reasoned order. Needless to say that in case petitioners are found identically situated as the beneficiary in the case decided vide aforesaid judgment dated 1st December, 2022, the petitioners shall also be extended all such benefits as made available to beneficiary therein within further period of four weeks.

6. Pending applications, if any, also stand disposed of.