

IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA
CWP No. 10873 of 2023.
Decided on : 12th August, 2026.

Madan Singh

...Petitioner.

Versus

State of H.P. & Ors.

....Respondents.

Coram:

The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?¹

For the Petitioner:

Mr. Rakesh Kumar Dogra, Advocate.

For the respondents:

Mr. Rahul Thakur, Deputy Advocate
General for respondents-State.

Ms. Komal Chaudhary, Advocate, for
respondent No.5.

Mr. Abhishek Nagta, Advocate, for
respondent No.6.

Ajay Mohan Goel, Judge (Oral).

By way of this petition, the petitioner has, inter alia,

prayed for following relief:-

"i) That the impugned order dated 06.12.2023 (Annexure P-5) read with order dated 12.09.2023 (Annexure P-9) duly passed by the respondent No. 5 may kindly be quashed & set-aside being arbitrary, discriminatory and void-ab-initio, by issuing writ of Certiorari, with a further direction to release accumulated balance of GPF amounting to Rs.19,90,621/-alongwith admissible interest accrued thereon from 3/2019 to till date and justice be done;

(ii) That a writ in the nature of mandamus may kindly be issued, directing the respondent No. 6 to regularize the services of the petitioner w.e.f; 23.01.1995 instead of 31.12.1997 strictly as per the judgment delivered by the Hon'ble Apex Court in Mool Raj Upadhyay's case, alongwith all consequential benefits;

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

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(iii) That a writ in the nature of mandamus may also be issued, directing the respondents to authorize the pension & pensionary benefits in favour of the petitioner by clubbing past service rendered by the petitioner with the respondent-Corporation as well as department in light of the judgment dated 08.05.2015 delivered by the Hon'ble High Court of H.P. in CWP No. 9214/2012 titled as Balwant Singh and others vs. State of HP & others and release all due & admissible benefits as referred to in para 8 (i) to (ix) supra alongwith interest @ 6% per annum in terms of the judgment dated 31.05.2023 passed by this Hon'ble Court in case titled as Bhagat Ram vs. Himachal Road Transport Corporation and others and justice be done;"

2. When this case was taken up for consideration today, learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the judgment of this court in **CWP No. 9214 of 2012, titled Balwant Singh & Ors. versus State of H.P.**

and others, decided on 08.05.2015. Learned Deputy Advocate General also submits that indeed the case is covered by the said judgment.

3. In light of this fact, as now there is no dispute that GPF amount is payable to the petitioner, it is directed that Rs 19,90,621/- that is the amount of GPF, which is payable to the petitioner, be released in his favor forthwith and preferably on or before 31st October, 2026, along with interest that has accrued thereupon, if any.

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4. As far as the relief prayed for the conferment of work charge status is concerned, the petition is disposed of with the observation that the petitioner will approach the authorities afresh in the light of the pronouncement of the Hon'ble Supreme Court in *Civil Appeal No. 1595 of 2025, titled State of Himachal Pradesh and Ors. vs. Surajmani and Ors.* and if such representation is filed by the petitioner within 4 weeks from today, the appropriate decision be taken thereupon by the Competent authority within 8 weeks from the receipt thereof.

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

(Ajay Mohan Goel)
Judge

12th August, 2026.
(jai)