IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWPOA No. 7660 of 2020

Decided on: 25.08.2020

Mast Ram Rajput ....Petitioner.

Versus

State of Himachal Pradesh & others

.....Respondents.

Coram

The Hon'ble Mr. Justice Sandeep Sharma, Judge.

[1] *Whether approved for reporting?*

For the petitioner: Mr. Suneel Awasthi, Advocate.

For the respondents: Mr. Sudhir Bhatnagar and Mr. Arvind Sharma, Additional Advocates General, for respondents No. 1 to 3.

Mr. Rajinder Thakur, Centre Govt. Counsel for respondent No.4.

Sandeep Sharma, Judge *(oral)*

By way of instant petition, the petitioner who after having rendered 29 years service as Librarian, retired on 31.07.1999, has approached this Court for issuance of direction to the respondents for revision of his pension being pre 2006 pensioner, on the basis of office memorandum No. Fin.(Pen)A(3)-1/09-Part-II, of the Government of Himachal

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[1] *Whether reporters of Local Papers may be allowed to see the judgment?*

Pradesh Finance (Pension) Department, dated 14th October, 2009, read with Government of India office memorandum No. 38/37/08-P&PW (A), dated 6th April, 2016 (Annexure A-2).

2. Despite repeated opportunities, respondents have failed to file reply and as such, this Court is constrained to dispose of the petition at hand on the basis of material on record.

3. Shri Suneel Awasthi, learned counsel for the petitioner on instructions states that the petitioner would be content and satisfied, in case necessary directions are issued to the respondents to consider his case for revision of pension in terms of office memorandum dated 14.10.2009, (Annexure A-2).

4. A perusal of office memorandum reveals that vide order dated 14.10.2009, Government of Himachal Pradesh accorded sanction to the regulation, with effect from 01.01.2006, of pension/family pension of all the pre 2006 pensioners/family pensioners in the manner indicated in the paras contained in the aforesaid office memorandum.

5. Having carefully perused office memorandum, dated 14.10.2009, learned Additional Advocate General fairly states that the case of the petitioner, if not already considered

in the light of aforesaid memorandum, shall be considered expeditiously.

3. Consequently, in view of the above, this Court without going into the merits of the case deems it fit to dispose of the writ petition with a direction to the respondents to consider and decide the case of the petitioner for revision of his pension being pre 2006 pensioner in terms of office memorandum No. Fin.(Pen)A(3)-1/09-Part-II, dated 14.10.2009 (Annexure A-2) of the Government of Himachal Pradesh, Finance (Pension) Department, positively within a period of four weeks. Consequential benefits, if any, in terms of revision of pension shall also be released within four weeks thereafter. Pending miscellaneous application(s), if any, shall also stand disposed of.

(Sandeep Sharma)
Judge

25th August, 2020
Pritam