IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.5622 of 2021
Date of decision: 20.12.2024

Sumana Devi. ...Petitioner.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner	:	Mr. D.N. Sharma, Advocate.
For the respondents	:	Mr. Y.P.S. Dhaulta, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Y.P.S. Dhaulta, Additional 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 reliefs:-

> *"i. That writ in the nature of mandamus may very kindly be issued in favour of the petitioner and against the respondents, by directing the respondents to grant to the petitioner, the benefits of pay scaler annual increments, seniority, promotion and pension under CCS (Pension) Rules, 1972 and GPF etc. by counting their contractual services as JBT teachers, from their initial appointment till their regularisation, as qualifying service, for the grant of said benefits, as has been granted to the similarly situated persons, in the judgement dated 10.01.2020 passed in CWP No.2411/2019 titled as Jagdish Chand Vs State of HP and other such connected matters."*

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

2. Learned counsel for the petitioner submits that the case of the petitioner, the relief prayed by him and the legal issue involved in the case has already been adjudicated upon in ***Jagdish Chand vs. State of Himachal Pradesh and Others***[1]. Learned counsel for the petitioner further places reliance upon ***Narayan Dutt Sharma vs. State of Himachal Pradesh & Ors.***[2]. Learned counsel further submits that the petitioner would be satisfied in case a direction is issued to the respondents/competent authority to consider and decide the case of the petitioner for redressal of her grievances raised in the writ petition in light of the aforesaid judgments within a fixed time schedule.

Learned Additional Advocate General states that the respondents are not averse to consider the case of the petitioner in light of the aforesaid judgments, however, all rights and contentions of the parties be left open for decision.

4. Having regard to the afore-submissions, but without examining the merits of the matter, this writ petition is disposed of by directing the respondents to consider and decide the case of the petitioner for redressal of her

[1]CWP No.2411 of 2019 along with connected matters decided on 10.01.2020.
[2]LPA No.338 of 2024 along with connected matters decided on 12.11.2024.

grievances raised in the writ petition, in accordance with law and taking into consideration the aforesaid judgments within a period of six weeks from today. The decision so arrived at shall also be communicated to the petitioners.

5. It is clarified that all rights and contentions of the parties are left open.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

20th December, 2024
(Pardeep)