IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 12984/2024
Decided on: 27.12.2024

Nikni Devi …Petitioner

Versus

State of H.P. & Ors. ….Respondents.

……

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner: **Mr. Arun Kaushal, Advocate.**

For the respondents: **Mr. Sikander Bhushan, Deputy Advocate General.**

***Jyotsna Rewal Dua* , J**

Petitioner seeks a direction to the respondents to allow her to continue in service till her attaining the age of 60 years in light of law laid down in judgment rendered in ***Satya Devi Vs. State of H.P. and others***[2]***.***

2. Noticing the contention of the petitioner, following order was passed in the matter on 10.12.2024:-

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

[1] *Whether reporters of the local papers may be allowed to see the judgment? yes*

[2] CWP No. 2274 of 2021 alongwith connected matters decided on 28.05.2024

Petitioner contends that in view of the law laid down in CWP No.2274 of 2021 (Satya Devi Versus State of H.P. and others), decided alongwith connected matters on 28.05.2024, she is entitled to continue to serve with the respondents till she attains the age of 60 years, i.e. 31.03.2025, whereas, the respondents have retired her on 31.03.2023 at the age of 58 years.

Let the learned Additional Advocate General to have instructions in the matter specifically as to whether the case of the petitioner is covered under the aforesaid judgment.

List on 27.12.2024. "

3. Respondents in their instructions dated 26.12.2024 have not disputed that the case of the petitioner is covered by the aforesaid decision in *Satya Devi's case.* In view of the instructions placed by the respondents, there is no necessity for calling the reply. Taking note of the instructions, there shall be a direction to the respondents to confer the benefit of the aforesaid decision to the petitioner. The petitioner shall be re-inducted in service forthwith and shall be allowed to continue to serve till her attaining the age of 60 years. This, shall, however, be subject to outcome of the SLP filed by the respondents in the aforesaid decision.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

27th December, 2024(rohit)