IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.13640 of 2024 and connected matters.

Decided on: 18th December, 2024

---

1. CWP No.13640 of 2024

Naresh Kumar . ....Petitioner

Versus

State of H.P. & Anr ...Respondents

---

2. CWP No.13642 of 2024

Savita ....Petitioner

Versus

State of H.P. & Anr ...Respondents

---

3. CWP No.13650 of 2024

Sapna Kumari and Ors. ....Petitioners

Versus

State of H.P. & Anr ...Respondents

---

4. CWP No.13653 of 2024

Vijay Kumar & Ors . ....Petitioners

Versus

State of H.P. & Anr ...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioner(s): Mr. Vaibhav Tanwar, Advocate.

For the respondents: Mr. L.N.Sharma Additional Advocate General.

Jyotsna Rewal Dua, Judge

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

2. These writ petitions have been filed for grant of following common substantive relief (prayer has been extracted from CWP No. 13640 of 2024): -

> *"1. That a writ of mandamus may kindly be issued directing the respondents to grant to the petitioner the benefit of contract service for all the purposes including seniority, annual increments along with all the consequential benefits as per the judgment passed by the Hon'ble Court in "Taj Mohammad v. State of Himachal Pradesh and others," CWP No. 2004 of 2017. Further direct the respondents to release to the petitioner all the consequential benefits along with arrears at the rate of 9% per annum."*

3. According to the petitioners, the legal issue involved in the case has already been adjudicated upon. The

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

grievance of the petitioners is that their representations, annexed with the respective writ petitions, have still not been decided by the respondents/competent authority.

4. Once the legal principle involved in the adjudication of present petition has already been decided, it is expected from the welfare State to consider and decide the representation of the aggrieved employee within a reasonable time and not to sit over the same indefinitely compelling the employee to come to the Court for redressal of his grievances. This is also the purport and object of the Litigation Policy of the State. Not taking decision on the representation for months together would not only give rise to unnecessary multiplication of the litigation, but would also bring in otherwise avoidable increase to the Court docket on unproductive government induced litigation.

5. In view of the above, this writ petition is disposed of by directing the respondents/competent authority to consider and decide the aforesaid representations of the petitioners in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioners.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

December 18, 2024
R.Atal