IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.14022 of 2024

Decided on: 23rd December, 2024

Joginder Singh & Anr ....Petitioners

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioners: Mr. Praveen Thakur, 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.

2. This writ petition has been filed for grant of following substantive reliefs: -

> "*i. That the writ in the nature of mandamus or any other directions may kindly be issued, to the respondents to grant the benefits of Assured Carrier Progression Scheme on completion of 9 years of regular service w.e.f 1.10.2016 with all consequential benefits in terms of the notification*

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

dated 09.08.2012 & instructions dated 07.07.2014, 09.09.2014 and also in terms of Annexure P-9.

ii. *That Writ in the nature of mandamus or any other appropriate writ order or directions may be issued to directing the Respondents to also pay the consequential benefits of Assured Carrier Progression Scheme (ACPS) on completion of 9 years of service alongwith interest @9% per annum."*

3. According to the petitioners, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioners is that their representations dated 18.09.2024 [Annexure P-10 (colly)] 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 23, 2024
R.Atal