IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP Nos.14332 of 2024
Decided on: 30th December, 2024

Navita Dogra ....Petitioner

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioner: Mr. Vaibhav Tanwar, Advocate.

For the respondents: Mr. Dalip K. Sharma, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Dalip K. 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: -

> " *1. This Hon'ble Court may kindly be pleased to direct the respondents by way of issuance of Writ of Mandamus to consider/treat the*

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

petitioner as having been appointed on regular basis from the date of her initial appointment on contract basis against the post of TGT (Arts) pursuant to office order dated 19.04.2021 for all intents and purposes.

2. This Hon'ble Court may further be pleased to issue a Writ of Mandamus directing the respondent State to pay to the petitioner all the emoluments to which she is entitled at par with regular employee in the establishment of respondent department w.e.f. 19.04.2021 with all consequential benefits including counting the period for the purpose of seniority etc.."

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that her representation dated 24.09.2024 (Annexure P-4), has 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 representation of the petitioner in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioner.

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

Jyotsna Rewal Dua
Judge

December 30, 2024
R.Atal