IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP Nos.14306 & 14308 of 2024
Date of decision: 27.12.2024

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1. CWP No.14306 of 2024

Nikhila. ...Petitioner.

Versus

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

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2. CWP No.14308 of 2024

Shashi Bala. ...Petitioner.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioners	:	Mr. Vikas Rajput, Advocate.
For the respondent(s)	:	Mr. Anup Rattan, Advocate General with Mr. Amandeep Sharma & Mr. Dalip K. Sharma, Additional Advocates General, for respondents-State.

Jyotsna Rewal Dua, Judge

Notice. Mr. Amandeep Sharma, Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

2. The writ petitions have been filed for the grant of following substantive relief(s) extracted from one of the writ petitions:-

> *"a. That respondents may kindly be directed to count the service rendered by the petitioner on contract basis prior to their regularization for the purpose of seniority, Pay fixation, promotion, annual increments, Pension etc. along with all consequential benefits.*
>
> *b. That respondents may further be directed to extend the benefits of judgments mentioned in para 11 (Annexure P-3) to petitioner as well being similarly situated to the petitioner of these judgments and their services rendered on contract basis may be taken into consideration toward seniority, pay fixation, increments Promotion etc."*

3. According to the petitioners, the legal issue involved in the cases has already been adjudicated upon. The grievance of the petitioners is that their representations 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 above, these writ petitions are disposed of by directing respondents/competent authority to consider and decide the respective 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.

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

Jyotsna Rewal Dua
Judge

27th December, 2024
(Pardeep)