**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

CWP Nos.14298, 14299 & 14310 of 2024
Date of decision: 27.12.2024

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**1. CWP No.14298 of 2024**

Jyoti Saini. ...Petitioner.

Versus

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

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**2. CWP No.14299 of 2024**

Pooja Sharma. ...Petitioner.

Versus

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

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**3. CWP No.14310 of 2024**

Anita Kumari. ...Petitioner.

Versus

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

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*Coram:*

***Ms. Justice Jyotsna Rewal Dua, Judge.***

*Whether approved for reporting?*

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|---|---|---|
| For the petitioners | : | Ms. Kiran Verma, Advocate, vice Mr. Y.K. Chandel, Advocate. |
| For the respondent(s) | : | Mr. Anup Rattan, Advocate General with Mr. Amandeep Sharma & Mr. Dalip K. Sharma, Additional Advocates General, for respondents-State. |

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

**Jyotsna Rewal Dua, Judge**

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

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

> *"i). That the writ in the nature of certiorari may kindly be issued to quash and set aside the notification dated 12-01-2022 i.e. Annexure P-6 as far as it provide the revised emoluments of contract employees a 60% of minimum of pay scale (at the lowest grade, in the regular pay scale), extended to regular employees holding the same post.*
>
> *ii) That the writ in the nature of mandamus may kindly be issued to the respondents by directing them to pay to the petitioner the revised emoluments for contract period service of the petitioner at the revised rate of initial start of pay scale (at the lowest grade, in the regular pay scale), extended to regular employees holding the same post of Staff Nurse along with 3% annual hike. The arrears with interests at market rate on delay payment, on account of revision @ minimum of pay scale (at the lowest grade, in the regular pay scale), extended to regular employees holding the same post w.e.f. 01-01-2016, shall also be paid to the petitioner for service rendered in the department on contract basis."*

**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)