IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.15720 of 2024
Date of decision: 20.12.2024

Ajay Kumar. ...Petitioner.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner	:	Mr. Rajul Chauhan, Advocate, vice Mr. A.K. Chauhan, Advocate.
For the respondent	:	Mr. Y.P.S. Dhaulta, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Y.P.S. Dhaulta, Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

> *"a. That respondents may kindly be directed to count the services rendered by the Petitioner on contract basis against the post of Clerk (Class-iii)w.e.f. 13.10.2017 for the purpose of annual increments, seniority, promotion and other consequential benefits on the basis of the law laid down by this Hon'ble Court in judgment passed in CWP/2004/2017 titled as Taj Mohammad & Others Vs State of Himachal Pradesh & other decided on 03.08.2023, which judgment has been duly implemented by the respondents.*

b. That the respondents may kindly be directed to consider and decide the representation of the Petitioner in time bound manner in view of above-mentioned judgment."

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that his representation dated 14.08.2024 (Annexure P-3) 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 their 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 eight weeks from today. The order so passed be also communicated to the petitioner.

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

Jyotsna Rewal Dua
Judge

20th December, 2024
(Pardeep)