IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.14770 of 2024
Date of decision: 26.12.2024

Usha Kumari. ...Petitioner.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner	:	Mr. Shivom Vashista, Advocate.
For the respondents	:	Ms. Menka Raj Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Petitioner seeks a direction to the respondents to allow her to continue in service till her attaining the age of 60 years in light of law laid down in ***Satya Devi vs. State of H.P. & Ors***[1].

2. Noticing the contention of the petitioner, following order was passed in the matter on 06.12.2024:-

> *"Notice. Mr. Amandeep Sharma, Additional Advocate General, appears and waives service of notice on behalf of the respondents.*
>
> *2. The petitioner's contention is that her case is covered under the decision rendered in CWP No.2274/2021 (Satya Devi Vs. State of H.P. & Ors.) decided on 28.05.2024 along with connected matters and in terms of this decision, the petitioner is entitled to the benefits flowing from the above decision and also liable to serve with the*

[1]CWP No.2274 of 2021, decided along with connected matters on 28.05.2024

respondents till her attaining the age of 60 years, which she will attain on 30.04.2025.

3. Petitioner's grievance is that she had already been retired at the age of 58 years on 30.04.2023, whereas, the respondents are mandated by the decision rendered in Satya Devi's case (supra) to allow her to continue to serve till her attaining the age of 60 years, i.e. 30.04.2025.

In view of above, let learned Additional Advocate General have instructions from respondents, as to whether the case of the petitioner is covered by the aforesaid decision in Satya Devi (supra) or not. Instructions be obtained by the next date.

List on 26.12.2024."

3. Respondents in their instructions dated 23.12.2024 have not disputed that the case of the petitioner is covered by the aforesaid decision in *Satya Devi's* case, therefore, there shall be a direction to the respondents to confer the benefit of the aforesaid decision to the petitioner. The petitioner shall be re-inducted in service forthwith and shall be allowed to continue to serve till she attains the age of 60 years. This, shall, however, be subject to outcome of the SLP filed by the respondents in the aforesaid decision.

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

Jyotsna Rewal Dua
Judge

26th December, 2024
(Pardeep)