IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 15218/2024
Decided on: 27.12.2024

Gulab Singh …Petitioner

Versus

State of H.P. & Ors. ….Respondents.

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Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner: **Mr. Swarn Sharma, Advocate.**

For the respondents: **Mr. Sikander Bhushan, Deputy Advocate General.**

Jyotsna Rewal Dua **, J**

Petitioner seeks a direction to the respondents to allow him to continue in service till his attaining the age of 60 years in light of law laid down in ***Satya Devi Vs. State of H.P. and others and connected matters.***[2]

2. Noticing the contention of the petitioner, following order was passed in the matter on 13.12.2024:-

> *"Notice. Mr. L.N.Sharma, learned Additional Advocate General, accepts service of notice on behalf of the respondents.*
>
> *Petitioner contends that in view of law laid down in CWP No. 2274 of 2021 (Satya Devi Vs. State of H.P. and others) and connected matters, he is entitled to serve with the respondents till he attains the age of 60 years i.e. 31.12.2026, whereas, the*

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

[2] CWP No. 2274/2021 decided on 28.05.2024

respondents are going to retire her on 31.12.2024, on his attaining the age of 58 years.

Let learned Additional Advocate General to have instruction in the matter, specifically as to whether the case of the petitioner is covered under the aforesaid judgment.

List on 27.12.2024."

3. Respondents in their instructions dated 26.12.2024 have not disputed that the case of the petitioner is covered by the aforesaid decision in *Satya Devi's case.* In view of the instructions placed by the respondents, there is no necessity for calling of the reply. Taking note of the instructions, there shall be a direction to the respondents to confer the benefit of the aforesaid decision to the petitioner. Accordingly, the petitioner, who is presently continuing in service shall be allowed to continue to serve till his attaining the age of 60 years. This, shall, however, be subject to outcome of the SLP being filed by the respondents in the aforesaid decision.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

27th December, 2024(rohit)