IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.15463 of 2024
Date of decision: 18.12.2024

Anita Sharma ...Petitioner.

Versus

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

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner	:	Mr. Sanjay Bhardwaj, Advocate.
For the respondents	:	Mr. Amandeep Sharma, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Amandeep Sharma, learned Additional Advocate General, accepts notice on behalf of the respondents.

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

> " That a writ in the nature of mandamus may kindly be issued by directing the respondents to count the entire period of service rendered by the petitioner on contract basis w.e.f. 02.09.1997 for the purpose of annual increments and pension and furthermore, the respondents may be directed to pay the arrears of salary and pension to the petitioner alongwith interest @9% per annum from the date the same fell due till realization and justice be done."

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

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that her representation dated 03.10.2024 (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 redresssal 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, the instant petition is disposed of by directing respondents/competent authority to consider and decide the aforesaid representation of the petitioner, in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioner.

Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

18th December, 2024
(Shamsh Tabrez)