IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.15711 of 2024
Decided on: 23rd December 2024

Hardyal Singh ....Petitioner

Versus

HRTC & Ors. ...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioner: Mr. Ashish Verma Advocate.

For the respondents: Mr. Raman Jamalta, Advocate.

Jyotsna Rewal Dua, Judge

Notice. Raman Jamalta, learned Counsel, appears and waives service of notice on behalf of the respondents.

2. With the consent of the learned counsel for the parties, the matter is heard at this stage.

3. The petitioner seeks a direction to the respondents for grant of pension allowance at 5%, 10% and 15% of the basic pension/family pension on attaining the age of 65

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[1] *Whether reporters of Local Papers may be allowed to see the judgment?*

years, 70 years and 75 years, respectively.

4. Learned counsel for the petitioner submitted that similar issue was decided by the erstwhile Himachal Pradesh Administrative Tribunal in ***Sh. Brij Lal and others Vs. State of Himachal Pradesh and another***[2]. That O.A. was disposed of with a direction to the respondents (therein) to release arrears of due and admissible dearness relief and pension allowance of 5%, 10% and 15% on attaining the age of 65 years, 70 years and 75 years by the concerned retirees. Reference in this regard was made to Annexure P-1.

It was further submitted that CWP No.8670 of 2023, preferred by the Himachal Road Transport Corporation (respondent herein) against the aforesaid decision of the tribunal was dismissed by a Division Bench of this Court on 07.11.2023. Special Leave Petition (C) Diary No(s). 50794 of 2023, field by the HRTC against the judgment dated 07.11.2023, passed in CWP No. 8670 of 2023, was dismissed by the Hon'ble Apex Court on 25.01.2024.

The submission of the learned counsel for the petitioner is that in view of the aforesaid decision,

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[2] *O.A. No. 2929 of 2015 decided on 02.07.2017*

respondent-Corporation is liable to release the pension allowance at different slabs of 5%, 10% and 15% on petitioner's attaining the age of 65 years, 70 years and 75 years. It has further been submitted that the petitioner's representation for redressal of this issue has not been attended by the respondents. Hence, these Writ petition.

5. Learned counsel for the petitioner states that the petitioner would be content if the case of the petitioner is considered by the respondents in light of the aforesaid judgments within a time bound schedule. Learned counsel for the respondents has no objection for this prayer.

Having regard to above submissions the writ petition is disposed of by directing the respondents to consider the case of the petitioner in light of the aforesaid judgments and pass appropriate order in accordance with law within a period of three weeks from the date of receipt of copy of this order. The decision so arrived at, shall also be communicated to the petitioner.

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

Jyotsna Rewal Dua
Judge

December 23, 2024
R.Atal