IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP Nos.16126, 16127, 16129,
16131 & 16133 of 2024
Date of decision: 26.12.2024

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1. CWP No.16126 of 2024

Arun Kumar. ...Petitioner.

Versus

State of H.P. & Anr. ...Respondents.

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2. CWP No.16127 of 2024

Vinod Kumar Sharma & Ors. ...Petitioners.

Versus

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

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3. CWP No.16129 of 2024

Vishal Sharma & Anr. ...Petitioners.

Versus

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

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4. CWP No.16131 of 2024

Devender Kumar & Ors. ...Petitioners.

Versus

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

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5. CWP No.16133 of 2024

Suresh Kumar & Ors. ...Petitioners.

Versus

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

Coram:

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

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioners	:	Mr. Tarun Sharma and Mr. Ranbir Rathore, Advocates.
For the respondent(s)	:	Mr. Amandeep Sharma, Additional Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Amandeep Sharma, Additional Advocate General, appears and waives service of notice on behalf of the respondents.

2. The writ petitions have been filed for the grant of following substantive relief(s) extracted from one of the writ petitions:-

> *"i). That respondent may kindly be directed to credit the earned leaves in the leave account of petitioner, admissible to them due to retrospective regularization of their service or respondents may kindly be directed to grant the benefits of earned leaves to petitioner from date of regularization.*
>
> *b. That respondents may be directed to extend the benefits of earned leaves strictly on the analogy of CWP 5043/2022, being similarly situated to the petitioners of the judgment and they may also be granted the benefits of earned leaves on account of retrospective regularization."*

3. According to the petitioners, the legal issue involved in the cases has already been adjudicated upon. The grievance of the petitioners is that their respective

representations have 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 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, these writ petitions are disposed of by directing respondents/competent authority to consider and decide the respective representations of the petitioners, in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioners.

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

Jyotsna Rewal Dua
Judge

26th December, 2024
(Pardeep)