IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.16196 of 2024 and connected matters .

Decided on: 27th December, 2024

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1. CWP No. 16196 of 2024

Anil Chandel .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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2. CWP No. 16227 of 2024

Ashwani Kumar Sharma .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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3. CWP No. 16228 of 2024

Purushottam Kumar Sharma .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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4. CWP No. 16229 of 2024

Ashok Kumar .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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5. CWP No. 16230 of 2024

Raj Kumar Sharma .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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6. CWP No. 16231 of 2024

Rajiv Kumar Sondhi .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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7. CWP No. 16233 of 2024

Jitender Kumar Sharma .....Petitioner

Versus

State of H.P. and Anr. .....Respondents .

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8. CWP No. 16234 of 2024

Sanjeev Sharma .....Petitioner

Versus

State of H.P. and others .....Respondents

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9. CWP No. 16235 of 2024

Raman Kumar Abhilashi .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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10. CWP No. 16308 of 2024

Suresh Kumar Banyal .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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11. CWP No. 16311 of 2024

Durga Dass .....Petitioner

Versus

State of H.P. and Anr. .....Respondents

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Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioner(s): Ms.Anuja Mehta, Advocate.

For the respondents: Mr.Anup Rattan, Advocate General with Mr. Dalip Sharma and Mr.

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

Amandeep Sharma, Additional Advocate General and Mr. Balwinder Singh and Mr. Manish Thakur, Deputy Advocates General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Manish Thakur, learned Deputy Advocate General, appears and waives service of notice on behalf of the respondents in all the petitions.

2. These writ petitions have been filed for grant of following identical substantive reliefs (Prayers have been extracted from CWP No. 16196 of 2024): -

> " *(i) That the action of the respondents in fixing the basic pay of the petitioner at Rs.10300+5000 Grade Pay i.e. Rs. 15300/- instead of Rs. 13450+5000 Grade Pay i.e. Rs.18450/- may be declared to be wrong and illegal*
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> *ii) That the petitioner may kindly be held entitled to initial basic pay of Rs.18450/- in the pay band of Rs.10300-34800+5000 Grade Pay as per Schedule, Fitment Table and provisions of Himachal Pradesh Civil Services (Revised Pay) Rules, 2009.*
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> *iii) That the respondents may further be directed to pay all the arrears with effect from 06.10.2016 pursuant to fixation of basic pay at Rs. 18450/- in the pay band of Rs.10300-34800+5000 Grade Pay as per Schedule, Fitment Table and provisions of Himachal Pradesh Civil Services (Revised Pay) Rules, 2009."*

3. According to the petitioners, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that their representations, annexed with the respective writ petitions, 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 the above, this writ petition is disposed of by directing the respondents/competent authority to consider and decide the aforesaid representations of the petitioner in accordance with law within a period of six weeks

from today. The order so passed be also communicated to the petitioners.

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

Jyotsna Rewal Dua
Judge

December 27, 2024
R.Atal