IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 4299 of 2026
Decided on : 02.04.2026

Vinod Kumar

…Petitioner

Versus

Himachal Road Transport Corporation (HRTC) and others

…Respondents

Coram
Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Whether approved for reporting?[1]

For the petitioner : Mr. Rupesh Kumar, Advocate.

For the respondents : Mr. Rahul Thakur, Advocate.

Ajay Mohan Goel, Judge *(Oral)*

Notice. Mr. Rahul Thakur, learned counsel, accepts notice on behalf of the respondents.

2. By way of this writ petition, the petitioner has, *inter alia,* prayed for the following reliefs:-

> *"i. That the impugned letter dated 23.02.2026, whereby the benefits granted the petitioner under the provisions of Demobilized Armed Forces Personnel Rules 1972 have been ordered to be withdrawn in light of the amendment dated 29.01.2018 and the pay of the*

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

petitioner has been re-fixed and reduced, may very kindly be quashed and set aside, in the interest of justice.

ii. That the Respondents may also kindly be restrained form reducing the salary of the petitioner in terms of the letter dated 23.02.2026, in the interest of justice."

3. Learned counsel for the petitioner has at the very threshold submitted that the impugned office order dated 23.02.2026 is per se bad in the eyes of law as the same has been issued at the back of the petitioner without grant of any opportunity to the petitioner on the issue.

4. As the impugned order does not demonstrates that the same was passed after hearing the petitioner, obviously, the same is bad in law, because, it has been passed by violating the principles of natural justice i.e., the principle of *Audi Alteram Partem*. Accordingly, this petition is allowed on the short count and impugned office order dated 23.02.2026 is quashed and set aside. However, as the petition is being allowed on a purely technical ground, the respondent-Corporation is hereby given liberty to issue a notice to the petitioner on the subject matter of the office order, which stands set aside and take appropriate

action in terms of the notification referred to in the impugned office order by adhering to the principles of natural justice. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

April 02, 2026
(Shivank Thakur)