

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP No. 4971 of 2011.
Decided on: 30.6.2011.

Madan Lal	...	Petitioner.
	Versus	
State of H.P. and others.	...	Respondents.

Coram:
Hon'ble Mr. Justice Kurian Joseph, Chief Justice.
Hon'ble Mr. Justice V.K. Sharma, Judge.

For the petitioner : Mr. A.K. Gupta, Advocate.

For the respondents : Mr. R.K. Bawa, A.G. with Mr. Ankush Dass Sood, Addl. A.G. and Mr. J.K. Verma, Dy.A.G. for the respondents-State.

Justice Kurian Joseph, C.J. (Oral).

The writ petition is filed with the following prayer:

“That respondents may be ordered to grant work charge status to the petitioner from the date he completed 8 years of service with all the benefits incidental thereof such as full back wages, seniority and pay fixation etc.”

2. The petitioner claims work charge status/regularization/consequential benefits on completion of eight years of continuous service as daily waged worker. According to the petitioner, the issue is covered in his favour by the judgment of this Court rendered in ***CWP No. 2735 of 2010 titled Rakesh Kumar versus State of H.P. and others.***

3. Learned Deputy Advocate General points out that the factual aspects are to be verified by the competent authority. The petitioner submits that he would file appropriate representation furnishing all factual details before the competent authority within a period of one month from today. It is always open for him to do so.

4. It is for the respondents to examine the matter. We are informed that the State has filed an appeal against the above mentioned decision. Therefore, it is made clear that the implementation of the

judgment referred to above would depend on the outcome of the decision of the Apex court. The needful action, after verifying the facts will be taken within a period of two months from the date of the judgment of the Apex Court.

5. The writ petition is disposed of, so also the pending applications, if any.

(Justice Kurian Joseph)
Chief Justice.

June 30, 2011.
(cr/virender)

(Justice V.K. Sharma)
Judge.