

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CWP-T No.: 2768 of 2008.

Decided on: 29.04.2011.

Dhani Ram. ... Petitioner.

Versus

State of Himachal Pradesh and another. ... Respondents.

Coram

The Hon'ble Mr. Justice Rajiv Sharma, J.

*Whether approved for reporting?*¹ No.

For the Petitioner : Mr. Onkar Jairath, Advocate.

For the Respondents : Mr. Vikas Rathore, Deputy Advocate General with Mr. R.P. Singh, Assistant Advocate General.

Rajiv Sharma, Judge (Oral).

Petitioner has assailed the action of the respondents whereby artificial and fictional breaks have been given to him as per Annexure R-10. In order to effectively adjudicate upon this matter, the petitioner was required to approach the Labour Court by way of reference. The question whether the artificial and fictional breaks are being given in accordance with law or not, could only be adjudicated upon on the basis of evidence. However, since the petitioner belongs to lower strata of the society, he is permitted to

¹ *Whether the reporters of Local Papers may be allowed to see the judgment?* No.

make a representation to the Principal Secretary (PW) to the Government of Himachal Pradesh for the redressal of his grievance on the basis of instructions/guidelines issued on this aspect, within a period of three weeks from today. Thereafter the respondent No.1 shall consider and decide the same by passing a speaking order. The pending application(s), if any, also stands disposed of. No costs.

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**(Rajiv Sharma),
Judge.**

April 29, 2011.
(sck).