

## IN THE HIGH COURT OF HIMACHAL PRADESH SHIMLA

CWP No.10584 of 2012-I and  
connected matter.

Date of Decision: December 31, 2012

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CWP No.10584/2012

Vikram Chand Katoch, s/o Battan Chand Katoch, aged 52 years, presently working as Assistant Librarian in Lambloo (Hamirpur), r/o Village Gharati, P.O. Mohin, Tehsil and District Hamirpur (HP).

...Petitioner.

Versus

1. State of HP through Secretary (Education) to the government of HP, Shimla (HP).
2. Director of Higher Education, HP, Shimla (HP).

...Respondents.

CWP No.10588/2012

Sarwan Singh son of Shri Sita Ram, aged 60 years, presently retired as Assistnat Lib from Government Senior Secondary School Tikkar Khatrian (Hamirpur), resident of Village Bhadroo, P.O. Kanjian, Tehsil Bhoranj, District Hamirpur, H.P.

.....Petitioner.

Versus

1. State of Himachal Pradesh, through Secretary (Education) to the Government of H.P., Shimla, H.P.
2. Director of Higher Education, H.P. Shimla, H.P.

.....Respondents.

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**Coram:**

The Hon'ble Mr. Justice Kurian Joseph, Chief Justice.

The Hon'ble Mr. Justice Sanjay Karol, Judge.

For the Petitioners : Mr. P.P. Chauhan, Advocate.

For the Respondents : Mr. Shrawan Dogra, Advocate General  
with Mr. J.K Verma, Deputy  
Advocate General.

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Justice Kurian Joseph, C.J. (Oral)

Writ petitions are filed mainly with the following  
prayers:

...2...

“a) to issue a writ of mandamus, appropriate writ, order or direction in the nature thereof, directing the respondents to deem the petitioner to have been appointed wef 08/12/2002 for all purposes and intents entitling the petitioner for benefits under CCS (Pension) Rules, 1972 as prior to issuance of notification dated 15/05/2003 with all the consequential benefits and deduction of my CPF may kindly be stopped forthwith.

b) to issue an appropriate writ, order or direction in the nature thereof to the respondent department to extend to the petitioner the benefit of judgment of this Hon’ble Court passed in CWP No.2059/2010 titled as Hirdye Prakash Vs State of HP.”

2. According to the petitioners, the judgment in CWP No.2059/2010, titled as Hirdey Prakash versus State of H.P. has attained finality and the same has been implemented also. If that be so and in case the petitioners are similarly situated as the petitioner in Hirdey Prakash (supra), similarly treatment shall be given to them also. Needful shall be done within a period of three months from the date of production of a copy of this judgment alongwith a copy of the writ petition and a copy of the judgment in Hirdey Prakash’s case, by the petitioners before the second respondent.

With these observations, the writ petitions are disposed of, so also the pending applications, if any.

( Justice Kurian Joseph ),  
Chief Justice.

December 31, 2012<sub>(sd)</sub>

( Justice Sanjay Karol ),  
Judge.