

IN THE HIGH COURT OF HIMACHAL PRADESH  
SHIMLA

CWP No. 5386 of 2013-I

Date of Decision: 31.7.2013

---

Harish Kumar	.....Petitioner.
--------------	------------------

Versus

---

State of H.P. & Others.	.....Respondents.
-------------------------	-------------------

---

*Coram:*

The Hon'ble Mr. Justice Dev Darshan Sud, Judge.

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

*Whether approved for reporting? No.*

For the Petitioner:        Mr. R.D Kaundal, Advocate.

For the Respondents:    Mr. B.S Parmar,    Additional    Advocate  
   General        with Mr.    Vikram    Thakur,  
   Dy.A.G for respondents No. 1 to 3.

---

Dev Darshan Sud, J (oral)

Learned counsel for the petitioner, under instructions, does not press the present petition and submits that petitioner shall approach the respondents clearly bringing out the circumstances under which his case is covered by the decision of the Supreme Court in *Mool Raj Upadhyaya versus State of H.P., 1994 Supp. (2) SCC 316*.

2. Leaving the questions of law open, it is open for the petitioner to approach the respondents, as prayed for. As and when any request received by the appropriate authority, the

---

<sup>1</sup> Whether reporters of the local papers may be allowed to see the judgment? Yes.

same shall be considered on its merits, in accordance with law, within a period of eight weeks, by affording adequate opportunity of hearing/representation to the petitioner. Needless to add, the authorities shall pass a reasoned order which shall be communicated to all concerned.

With the aforesaid observations, present petition stands disposed of, so also the pending application(s), if any.

( Dev Darshan Sud),  
Judge.

31<sup>st</sup> July, 2013.  
(priti)

( Sanjay Karol ),  
Judge.