IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 6738 of 2013.

Date of Decision: 30th September, 2013.

Raj Kumar ….Petitioner.

Versus

State of H.P. & others. ….Respondents.

Coram

The Hon'ble Mr. Justice Dev Darshan Sud, J.
The Hon'ble Mr. Justice Dharam Chand Chaudhary, J.

Whether approved for reporting?[1] No.

For the petitioner: Ms. Sheetal Kaul, Advocate.

For the respondents: Mr. V.S. Chauhan, Addl. A.G. and Mr. Vikram Thakur, Dy. A.G.

Dev Darshan Sud, J (Oral).

It is submitted by learned counsel for the petitioner that the case of the petitioner is squarely covered by the decisions of this Court in ***CWP(T) No. 2903 of 2008, titled as Mohinder Singh versus State of H.P. & others, decided on 23.3.2009.*** Learned counsel submits that facts in the present case are identical to those in ***Mohinder Singh's*** case supra**.** In these circumstances, the petitioner is entitled to the same relief as granted in ***Mohinder Singh's*** case.

2. We do not pronounce on the merits of the case of the petitioner or that of the State which opposes the present petition but direct that the second respondent shall consider/determine as to whether the facts in this case are similar or identical to those in ***Mohinder Singh's*** case supra. The determination shall be by a reasoned and speaking order after granting the petitioner an

---

[1] ***Whether Reporters of Local Papers may be allowed to see the judgment? Yes.***

opportunity of being heard and placing on record such other and further material on which he seeks to rely. If on determination, the facts in this case are found to be identical to those in ***Mohinder Singh's*** case, the petitioner shall be granted the same relief. Such determination shall be done within ten weeks from today. Petition stands disposed of.

3. All pending miscellaneous applications also stand disposed of.

(Dev Darshan Sud),
Judge

(Dharam Chand Chaudhary)
Judge

30th September, 2013.
(jai)