

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

CWP No.9284 of 2013

Date of decision : 29.11.2013

Sh. Mast Ram

.... Petitioner.

Versus

The State of Himachal Pradesh and others

.... Respondents.

Coram

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

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

Whether approved for reporting? No.

For the Petitioner : Mr. Pankaj Thakur, Advocate vice
Mr. A.K. Gupta, Advocate.

For the Respondents : Mr. Shrawan Dogra, Advocate
General with Mr. D.C. Pathik, Addl.
A.G., Mr. R.S. Verma, Addl. A.G. and
Mr. Ramesh Thakur, Asstt. A.G.

Sanjay Karol, Judge (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 vs. State of H.P., 1994 Supp. (2) SCC 316.***

2. No other point is urged.

Whether reporters of Local Papers may be allowed to see the judgment?

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3. Leaving the questions of law open, it is open for the petitioner to approach the respondents, as prayed for. As and when any such request is received by the appropriate authority, the same shall be considered on its merits, in accordance with law, also keeping in view the ratio of law laid down by the Apex Court in **Jai Dev Gupta** versus **State of Himachal Pradesh**, AIR 1998 SC 2819, 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 as not pressed, so also, the pending applications(s), if any.

**(Sanjay Karol),
Judge.**

**(Rajiv Sharma),
Judge.**

November 29, 2013 (KS)