

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

**ON THE 31<sup>st</sup> DAY OF MAY, 2022**

**BEFORE**

**HON'BLE MS. JUSTICE SABINA  
ACTING CHIEF JUSTICE**

**&**

**HON'BLE MR. JUSTICE SATYEN VAIDYA**

**CIVIL WRIT PETITION No.3385 of 2022**

**Between:-**

**JITENDER MOHAN, SON OF SHRI JASWANT RAI,  
RESIDENT OF VILLAGE AND POST OFFICE, INDORA,  
TEHSIL AND DISTRICT KANGRA, HIMACHAL  
PRADESH. EX HOME GUARD, 9<sup>TH</sup> BATTALION  
DHARAMSHALA, DISTRICT KANGRA, HIMACHAL  
PRADESH, AGE 48 YEARS. ....PETITIONER**

**(BY MS. BABITA CHAUHAN, ADVOCATE ON  
BEHALF OF MR. A.K. GUPTA, ADVOCATE)**

**AND**

- 1. STATE OF HIMACHAL PRADESH THROUGH  
THE PRINCIPAL SECRETARY (HOME) WITH  
HEADQUARTERS AT SHIMLA-2, HIMACHAL  
PRADESH.**
- 2. THE COMMANDANT GENERAL (HOME GUARDS)  
WITH HEADQUARTERS AT SHIMLA, HIMACHAL  
PRADESH.**
- 3. THE COMMANDANT, HOME GUARDS, 9<sup>TH</sup>  
BATTALION, DHARAMSHALA, DISTRICT KANGRA,  
HIMACHAL PRADESH. .... RESPONDENTS**

**(BY MR. ASHWANI K. SHARMA, ADDITIONAL  
ADVOCATE GENERAL)**

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*This Civil Writ Petition coming on for admission this day, **Hon'ble Ms. Justice Sabina**, passed the following:*

**ORDER**

Learned counsel for the petitioner submits that the issue in question is squarely covered by the judgment rendered by a Coordinate Bench of this Court in **CWP No. 3628 of 2020**, in case titled as **Inder Singh versus State of H.P. & Others**, decided on 05.01.2021. This is a matter, which is required to be examined by the respondents.

2. Having regard to the limited submissions and without going into the merits of the case, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner in light of the aforementioned judgment rendered by a Coordinate Bench of this Court in **Inder Singh's case (supra)**.

3. Pending miscellaneous application(s), if any, shall also stand disposed of.

**( Sabina )  
Acting Chief Justice**

**( Satyen Vaidya )  
Judge**

May 31, 2022 (ks)