

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

ON THE 31st DAY OF MAY, 2022

BEFORE

HON'BLE MS. JUSTICE SABINA

ACTING CHIEF JUSTICE

&

HON'BLE MR. JUSTICE SATYEN VAIDYA

CIVIL WRIT PETITION No. 7595 OF 2021

Between:-

**ASHOK KUMAR AGED ABOUT
52 YEARS SON OF SHRI
JOGINDER SINGH, RESIDENT
OF VILLAGE BARARA, P.O.
ARHAL, TEHSIL ROHRU,
DISTRICT SHIMLA, H.P.,
PRESENTLY WORKING AS TGT
(ARTS) ON REGULAR BASIS AT
GOVERNMENT HIGH SCHOOL
BARARA, TEHSIL ROHRU,
DISTRICT SHIMLA, H.P.**

....PETITIONER

(BY MR. DALEEP SINGH KAITH, ADVOCATE)

AND

- 1. STATE OF H.P. THROUGH ITS
SECRETARY (EDUCATION) TO THE
GOVERNMENT OF HIMACHAL PRADESH,
SHIMLA-171002.**
- 2. DIRECTOR OF ELEMENTARY EDUCATION
HIMACHAL PRADESH, LALPANI,
SHIMLA-171 003.**

..RESPONDENTS

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

This petition coming on for orders this day,
Hon'ble Ms. Justice Sabina, passed the following:-

O R D E R

Learned counsel for the petitioner states that the issue in question is squarely covered by the judgment rendered in ***CWP No. 1853 of 2009-D***, titled as ***Arpana Bali vs. The State of Himachal Pradesh and others***, decided on 10th April, 2013 and the said judgment, in turn, stands implemented by the respondents. This is a matter, which is required to be considered by the employer.

2. Accordingly, the present petition is disposed of with a direction to respondent No.2 to consider and decide the case of the petitioner in light of the averments made in this petition and, more particularly, the judgment rendered in *Arpana Bali's* case, which stands implemented. Needful be done within four weeks and in case the petitioner is similarly situated to *Arpana Bali's* case, then consequential action be taken within two weeks.

3. The petition stands disposed of in the aforesaid terms, so also the pending application(s), if any.

(Sabina)
Acting Chief Justice

May 31, 2022
(naveen)

(Satyen Vaidya)
Judge