

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

**CWP No.4902 of 2023**

**Decided on: 31<sup>st</sup> July, 2023**

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Ravinder Kumar

....Petitioner

Versus

H.P.U. & Anr.

...Respondents

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*Coram*

**Hon'ble Ms. Justice Jyotsna Rewal Dua, Judge**

<sup>1</sup> *Whether approved for reporting?*

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For the petitioner:

Mr. Sohail Khan, Advocate vice  
Mr. Rajesh Kumar, Advocate.

For the respondents:

Mr. Piyush Agnihotri, Advocate vice  
Ms. Archna Dutt, Advocate. for  
respondent No.1.

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Mr. Anup Rattan, Advocate General  
with Mr. Rupinder Singh Thakur &  
Mr. Y. P. S. Dhaulta, Additional  
Advocates General and Ms. Seema  
Sharma & Mr. Sumit Sharma,  
Deputy Advocates General, for  
respondent No.2.

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**Jyotsna Rewal Dua, Judge**

Notice. Mr. Piyush Agnihotri, Advocate vice  
Ms. Archna Dutt, learned Standing Counsel and Ms. Seema  
Sharma, learned Deputy Advocate General, appear and waive  
service of notice on behalf of respondent 1 and respondent

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<sup>1</sup> *Whether reporters of Local Papers may be allowed to see the judgment?*

No.2, respectively.

**2.** Heard.

**3.** Prayer in this petition is to include Secretariat pay as part of the Basic Pay for computing pension and other retiral benefits.

**4.** Learned counsel for the petitioner submitted that the issue raised in this petition is squarely covered by the judgment rendered by the Hon'ble Single Bench of this Court in **CWPOA No. 208/2020 (Durga Ram Vs. Himachal Pradesh University & Anr. alongwith connected matters)** decided on 18.10.2022. Learned counsel for the petitioner further submitted that the petitioner would be content, in case, respondents/competent authority are directed to consider and decide the case of the petitioner, in light of the law laid down in the aforesaid judgment, in a time bound manner. Prayer is not opposed by learned counsel for the respondents.

**5.** In this view of the matter, the writ petition is disposed of by directing the respondents/competent authority to consider and decide the case of the petitioner in light of the aforesaid judgment and in case, the petitioner is found to be similarly situated, then the benefit extended to the petitioners

in the aforesaid judgment, shall also be extended to the petitioner in the instant case also. The entire exercise be completed within six weeks from today. The decision to taken shall be communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua  
Judge

July 31, 2023  
*R.Atal*