

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**CWP No.6218 of 2023****Decided on: 30th November, 2024**

Dhani Ram

....Petitioner

Versus

State of H.P. & Ors.

...Respondents

*Coram***Ms. Justice Jyotsna Rewal Dua,**¹ *Whether approved for reporting?*

For the petitioner:Ms. Mamta Bhatwan, Advocate vice
Mr. Rajeev Sharma, Advocate.

For the respondents:

Mr. L.N.Shamra, Additional
Advocates General,for respondent
No.1.Mr. Dheeraj K. Vashisht, Advocate,
for respondents No.2 and 3.

Jyotsna Rewal Dua, Judge

Petitioner seeks a direction to the respondents to allow him to continue in service till he attains the age of 60 years in light of law laid down in judgment dated 28.05.2024, rendered in **CWP No. 2274 of 2021 (Satya Devi Vs. State of H.P. and others) and connected matters.**

¹ *Whether reporters of Local Papers may be allowed to see the judgment? yes*

2. Noticing the contention of the petitioner, following order was passed in the matter on 12.11.2024: -

“Petitioner contends that in view of the law laid down in Satya Devi Versus State of H.P. and others¹, he is entitled to continue to serve with the respondents till he attains the age of 60 years, i.e. 31.03.2025, whereas, the respondents have retired him on 31.03.2023 at the age of 58 years.

Let the learned Additional Advocate General and learned counsel appearing for respondents No.2 & 3 to have instructions in the matter specifically as to whether the case of the petitioner is covered under the aforesaid judgment.

List on 29.11.2024. ”

3. Respondents No.2 and 3 in their instructions dated 29.11.2024 have not disputed that the case of the petitioner is covered by the aforesaid decision in *Satya Devi’s* case, therefore, there shall be a direction to the respondents to confer the benefit of the aforesaid decision to the petitioner. The petitioner shall be re-inducted in service forthwith and shall be allowed to continue to serve till he attains the age of 60 years. This, shall, however, be subject to outcome of the SLP filed by the respondents in the aforesaid decision.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

November 30, 2024
R.Atal