

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

**CWP No. 9760/2024
Decided on: 31.12.2024**

Susheela Kumari ...Petitioner

Versus

State of H.P. & Anr.Respondents.

Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioner: **Mr. Anshul Jairath, Advocate.**

For the respondents: **Mr. L.N. Sharma, Additional Advocate General.**

Jyotsna Rewal Dua , J

Notice. Mr. L.N. Sharma, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. This writ petition has been filed for the grant of following substantive reliefs:-

“a) That this Hon’ble Court may be pleased to issue the Writ in the nature of certiorari or any other appropriate writ order or direction quashing the impugned action of the Respondents whereby the petitioner has been denied the counting of contractual service as qualifying service for the purpose of promotion/increment/seniority/pension and other consequential benefits.

B. That the Hon’ble Court may be pleased to issue the Writ in the nature of Mandamus directing the Respondents to count the contractual services for the purpose of qualifying service for next

¹ *Whether reporters of the local papers may be allowed to see the judgment?*

promotional post and the same may also be counted for the grant of annual increment/seniority and other consequential benefits i.e., qualifying service for the purpose of promotion and pensionary benefits.”

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that her representation dated 28.04.2024 (Annexure P-4) has still not been decided by the respondents/competent authority.

4. Once the legal principle involved in the adjudication of present petition has already been decided, it is expected from the welfare State to consider and decide the representation of the aggrieved employee within a reasonable time and not to sit over the same indefinitely compelling the employee to come to the Court for redressal of his grievances. This is also the purport and object of the Litigation Policy of the State. Not taking decision on the representation for months together would not only give rise to unnecessary multiplication of the litigation but would also bring in otherwise avoidable increase to the Court docket on unproductive government induced litigation.

5. In view of above, the instant petition is disposed of by directing respondents/competent authority to consider and decide the aforesaid representation of the petitioner, in accordance with law within a period of six weeks from today. The order so passed be also

communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

31st December, 2024(rohit)