

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.12166 of 2024

Decided on: 29th October, 2024

Nirmla Devi

....Petitioner

Versus

State of H.P. & Ors.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?*

For the petitioner: Mr. Vijay Kumar, Advocate.

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

Jyotsna Rewal Dua, Judge

Notice. Mr. L.N.Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

“(i) *That the respondents may kindly be directed to retire the petitioner only after having completed the age of 60 years with all consequential benefits, like arrear of pay, increments, seniority etc., as is being done in case of other Class-IV employees of the State, who are similarly*

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

situated to the petitioner.

(ii) That the respondent No.3 may kindly be directed to decide the representation dated 17.06.2024, Annexure P-3, within time bound manner."

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 17.06.2024 (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 the above, this writ petition is disposed

of by directing the 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.

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

Jyotsna Rewal Dua
Judge

October 29, 2024
R. Atal