

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.10412 of 2025

Date of decision: 30.06.2025

Boni Sharma.

...Petitioner.

Versus

State of Himachal Pradesh & Anr.

...Respondents.

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner : Mr. M.A. Safee, Advocate.

For the respondents : Mr. Y.P.S. Dhaulta, Additional
Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Y.P.S. Dhaulta, Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

- “i). That a writ in the nature of Mandamus may kindly be issued directing the Respondents to extend the benefit of Himachal Pradesh Civil Services (Revised pay) Rules, 2022 after taking into account the services rendered by her on contract basis as having been appointed prior to 03.01.2022, in terms of Rule 7A, as incorporated vide Notification dated 06.09.2022, and he be granted the Higher Stage of Pay i.e. 37600/- from the date he has completed two years of regular service, as has been held by the Hon'ble High Court in Mohit Sharma Case (Supra).*
- ii). That the respondents be also directed to release the arrears of pay after fixing his pay @ Rs. 37600/-w.e.f. the date he had completed two years of regular service along with interest @ 9% p.a.”*

Whether reporters of Local Papers may be allowed to see the judgment? Yes

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that his representation dated 09.06.2025 (Annexure P-6) 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 their 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.

30th June, 2025
(Pardeep)

Jyotsna Rewal Dua
Judge