

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

**CWP No.10835 of 2023**  
**Date of Decision: 28.2.2025**

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**Bansi Ram**

**.....Petitioner**

**Versus**

**HRTC and Ors.**

**.....Respondents**

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**Coram**

**Hon'ble Mr. Justice Sandeep Sharma, Judge.**  
**Whether approved for reporting?**

**For the Petitioner:** Mr. Ashish Verma, Advocate.

**For the respondents:** Mr. Dheeraj K. Vashishat, Advocate.

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**Sandeep Sharma, J.** *(Oral)*

By way of instant petition, petitioner has prayed for following main reliefs:

- “i) That the respondent corporation may kindly be directed to pay extra wages in lieu of un-allowed 304 days compensatory leave (Sunday rests) for work done on days of rest in terms of section 26 of the Motor Transport Worker Act, 1961 and Rule 31 of the Himachal Pradesh Motor Transport Workers Act, 1965 alongwith interest @ 18%.
- ii) That the respondent corporation may kindly be directed to extend the benefit of the judgment passed by the Hon'ble High Court in CWP No. 1910 of 2021 titled as Rattan Lal versus HRTC and Ors. on 16-06-2021 (Annexure P-3) to the petitioner forthwith all consequential benefits.”

**2.** Learned counsel for the petitioner states that his client would be content and satisfied in case representation dated 10.10.2023 filed by the petitioner is considered and decided by the respondents/competent authority in light of the judgment dated **16.6.2021** passed by the Division Bench of this Court in **CWP No. 1910 of 2021**, titled **Rattan Lal v. HRTC and Ors.** Learned counsel for the respondents is not averse to the aforesaid innocuous prayer made by the petitioner.

**3.** Having perused aforesaid judgment sought to be relied upon vis-à-vis issue raised in the petition at hand, this Court finds that issue raised in the instant petition already stands adjudicated in the aforesaid judgment rendered by the Division Bench of this Court and as such, no prejudice would be caused to either of the parties in case respondents are directed to consider and decide case of the petitioner in light of the aforesaid judgment.

**4.** Consequently, in view of the above, present petition is disposed of with direction to the respondents to consider and decide representation of the petitioner in light of **Rattan Lal** (supra), expeditiously, preferably, within four weeks. In case, petitioner is found to be similarly situate to the petitioner in the aforesaid judgment, he would be extended similar benefits. Needless to say, authority concerned while doing the needful in terms of the instant order shall afford an opportunity of hearing to the petitioner and pass

speaking order thereupon. Liberty is also reserved to the petitioner to file appropriate proceedings before the appropriate court of law if he still remains aggrieved. All pending applications stand disposed of.

**February 28, 2025**

(manjit)

**(Sandeep Sharma),  
Judge**