

**IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA****CWP No: 2282 of 2025
Decided on: 11.02.2025**

Mast Ram

...Petitioner

Versus**State of Himachal Pradesh & Others**...Respondents

Coram:**HON'BLE MR. JUSTICE RANJAN SHARMA, VACATION JUDGE***WHETHER APPROVED FOR REPORTING?*

For the petitioner : Mr. A.K. Gupta, Advocate.**For the respondents : Mr. Vishal Panwar, Additional
Advocate General.**

Ranjan Sharma, Judge

The petitioner has filed the writ petition with the following prayers:-

- “(i) That the retirement of the petitioner at the age of 58 years may be set aside and the respondents may be ordered to continue the petitioner in service upto the age of 60 years, with all benefits incidental thereof such as full back wages etc.
- (ii). That salary from the date of retirement of the petitioner, till he is allowed to resume his duties,



may also be ordered to be paid to the petitioner,
with all consequential benefits.”

2. Petitioner was engaged as Panchayat Chowkidar, under Gram Panchayat, Biasa w.e.f. 01.10.2009. His services were brought on daily wage establishment in October, 2022. The respondents retired the petitioner from service on 31.05.2024, on attaining the age of 58 years. In above backdrop, the grievance of the petitioner is that the petitioner is entitled to continue in service up to the age of 60 years i.e. 31.05.2026 in terms of the mandate of this Court **in CWP No. 2274 of 2021**, titled as **Satya Devi versus State of Himachal Pradesh** and others decided on 28.05.2024.

3. Upon listing of this case Mr. Vishal Panwar, Learned Additional Advocate General accepts and waives service of notice on behalf of the respondents.

4. Learned State Counsel submits that the claim of the petitioner for continuity-reinstatement in terms of the judgement in **Satya Devi's** case (supra) shall be examined by the competent authority in accordance with law and if the



case of the petitioner is found to be similarly placed, then appropriate orders in accordance with law shall be passed.

5. Taking into account the entirety of the facts and circumstances and with the consent of Learned Counsel(s) for the parties herein, this Court disposes of the instant writ petition, at this stage, leaving all questions open with the following directions:-

- (i). Respondent No.2-Director of Panchayati Raj and Urban Development, Himachal Pradesh shall examine the claim of the petitioner for continuity in service upto the age of 60 years in terms of the judgement passed by the Principal Division Bench of this Court in **CWP No. 2274 of 2021 Satya Devi versus State of Himachal Pradesh and others decided on 28.05.2024** in accordance with law after affording personal hearing to the petitioner within three weeks from today;
- (ii). Upon consideration, if the claim of petitioner is found to be similarly placed and covered in terms of the judgement in **Satya Devi's** case (*supra*) then further consequential action of reinstatement and release of admissible service benefits to the petitioner be taken by Respondents within the aforesaid period;



(iii) Parties to bear respective costs.

In aforesaid terms, the instant writ petition as well as the pending miscellaneous application(s), if any, also stand disposed of.

(Ranjan Sharma)
Vacation Judge

February 11, 2025
(Rupsi)