

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA****CWP No. 7111 of 2026****Decided on: 08.05.2026**

Sanjay Kumar

.....Petitioner

VersusHimachal Pradesh Transport Corporation (HRTC)
and others

... Respondents

Coram***Hon'ble Mr. Justice Ajay Mohan Goel, Judge.*****Whether approved for reporting?¹**

For the petitioner : Mr. Rupesh Kumar, Advocate.

For the respondents : Mr. Deepak Sharma, Advocate.

Ajay Mohan Goel, Judge (Oral)

Notice. Mr. Deepak Sharma, learned counsel, accepts notice on behalf of the respondents.

2. By way of this writ petition, the petitioner has, *inter alia*, prayed for the following reliefs:-

"i. That the impugned letter dated 31.03.2026, whereby the benefits granted the petitioner under the provisions of Demobilized Armed Forces Personnel Rules 1972 have been ordered to be withdrawn in light of the amendment dated 29.01.2018 and the pay of the petitioner has been re-fixed and reduced, may very kindly be quashed and set aside, in the interest of justice.

ii. That the Respondents may also kindly be restrained from reducing the salary of the petitioner in terms of the letter dated 31.03.2026, in the interest of justice."

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



3. Learned counsel for the petitioner has at the very threshold submitted that the impugned office order dated 31.03.2026 is *per se* bad in the eyes of law as the same has been issued at the back of the petitioner without grant of any opportunity to the petitioner on the issue.

4. As the impugned order does not demonstrates that the same was passed after hearing the petitioner, obviously, the same is bad in law, because, it has been passed by violating the principles of natural justice i.e., the principle of *Audi Alteram Partem*. Accordingly, this petition is allowed on the short count and impugned office order dated 31.03.2026 is quashed and set aside. However, as the petition is being allowed on a purely technical ground, the respondent-Corporation is hereby given liberty to issue a notice to the petitioner on the subject matter of the office order, which stands set aside and take appropriate action in terms of the notification referred to in the impugned office order by adhering to the principles of natural justice. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

May 08, 2026
(narender)