

Dharam Chand Sharma Vs. State of H.P. & Anr.

CWP No.9376 of 2023

01.01.2026 Present: Mr. Narender Sharma, Advocate, for the petitioner.

Mr. Vishwadeep Sharma, Additional Advocate General, for the respondents-State.

Mr. Tek Ram Sharma, Advocate, for the Accountant General (A&E), Himachal Pradesh.

Learned Additional Advocate General has placed on record office instructions dated 30.12.2025 from the ADG-cum-Director Fire Services, Himachal Pradesh, in terms of which, pension has been disbursed to the petitioner for the financial year 2023-24 onwards till date. Learned Additional Advocate General submits that pension has been disbursed to the petitioner w.e.f. 11.03.2022 and in support of this submission, places reliance upon Annexure-C appended with the office instructions, in terms whereof, an amount of Rs.8,42,099/- has been shown to have been disbursed to the petitioner as pension for the previous months.

Let learned counsel for the petitioner to take instructions about the petitioner having received pension w.e.f. 11.03.2022 upto 31.12.2022. Let the respondents also clarify this aspect by filing a detailed computation sheet regarding the payment of pension made to the petitioner w.e.f. 11.03.2022 upto 31.12.2022.

In terms of the aforesaid office instructions dated 30.12.2025, it was on 22.08.2023 that the office of the Principal Accountant General (A&E), Himachal Pradesh had

returned the commutation of pension case of the petitioner on the ground of pendency of 'judicial proceedings' against him. Admittedly, there are no judicial proceedings pending against the petitioner, which create an embargo in allowing him commutation of pension.

Let the respondents clarify as to why petitioner's case as returned by the office of the Accountant General (A&E), Himachal Pradesh on 22.08.2023, was not dealt with for the last two years, as it has statedly been resent to the concerned office only on 26.12.2025. Further action on the commutation of pension prayed for by the petitioner be also placed on record.

At the request of learned counsel for the petitioner, office of the Accountant General (A&E), Himachal Pradesh is impleaded as respondent No.3 to the writ petition.

Mr. Tek Ram Sharma, learned counsel waives service of notice on behalf of newly impleaded respondent No.3. He prays for and is allowed five days' time to have instructions on the aforesaid aspect.

List on **07.01.2026**.

January 01, 2026
Mukesh

Jyotsna Rewal Dua
Judge