

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.11063 of 2025

Date of decision: 10.07.2025

Kusum Gautam.

...Petitioner.

Versus

State of H.P. & Ors.

...Respondents.

Coram:

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?

For the petitioner : Mr. Vikas Rathore, Advocate.

For the respondents : Mr. Rajan Kahol, Additional
Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Rajan Kahol, 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. The respondents may very kindly be directed to grant of the pay scale of Rs. 5480-8925 with effect from the initial date of joining instead of Rs. 5000-8100 to the petitioner, along with all consequential benefits and arrears accrued there under may kindly be ordered to be paid/released with interest @ 9% p.a, in favour of the petitioner, in the interest of Justice, also in light of judgment dated 4.09.2021 in CWP No. 3341 of 2019 titled: Madan Lal Sharma Versus State of H.P. &Anr.;*
- II. The respondents may very kindly be directed to release revised pay scale to the petitioner with the basic pay grade along with all other consequential benefits;"*

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 10.01.2025 (Annexure P-5) 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.

10th July, 2025
(Pardeep)

Jyotsna Rewal Dua
Judge