



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.4575 of 2025
Date of Decision: 07.07.2025

Ramesh Chand and Others		Petitioners
	Versus	
State of H.P. and Others		Respondents

*Coram:****Hon'ble Mr. Justice Sandeep Sharma, Judge.****Whether approved for reporting? ¹*

For the Petitioners: Mr. Adarsh K. Vashista, Advocate.**For the Respondents:** Mr. Rajan Kahol and Mr. B.C. Verma,
Additional Advocates General and Mr. Ravi
Chauhan, Deputy Advocate General, for State.

Sandeep Sharma, Judge (oral):

By way of instant petition, petitioners have prayed for following main reliefs:

- "i) That a writ in the nature of mandamus may kindly be issued directing the Respondents to pay grant in aid alongwith due and admissible arrears and interest in favor of the petitioners for the services rendered by the petitioners with 95% Govt. aided institution from the date of initial appointment to the date of taking over of their services.
- ii) That a direction may also kindly be issued to the respondents to count the services rendered by the petitioners from the date of their initial appointment with the 95% Govt. aided institution i.e. N.K. Sanatan Dharam Chand Public Senior Secondary School, Ghuggar, Tehsil Palampur, District Kangra (H.P.) for the purpose of annual increments leave encashment, pension & earned leave.
- iii) That the respondents may kindly be directed to grant protection of last pay drawn in favour of the petitioners in the 95% Govt. aided institution from the date of taking over their services by the department of Education, Govt. of Himachal Pradesh and the due and admissible

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



arrears may kindly be ordered to be paid in favour of the petitioners alongwith due and admissible interest, in the interest of justice.”

2. Respondent No.7, despite service, has not come present and as such, ordered to be proceeded against *ex parte*.

3. Though opportunity was granted to respondents No.1 to 6 to file reply, but the same has not been filed. Before case at hand could be heard and decided on its own merits, learned counsel representing the petitioners, while inviting attention of this Court to judgment dated 10.08.2022, passed by this Court in CWPOA No.6443 of 2020, titled ***Kumari Ranjna and Others Vs. State of H.P. and Others***, states that issue otherwise sought to be decided in the instant proceedings already stands adjudicated in afore case and as such, petitioners would be content and satisfied in case directions are issued to respondents to consider and decide the case of the petitioners in light of aforesaid judgment.

4. Learned Additional Advocate General fairly states that is not averse to afore innocuous prayer made on behalf of the petitioners.

5. Otherwise also, this Court, having perused averments contained in the petition, which is duly supported by way of affidavit, vis-a-vis judgment sought to be relied upon, has no hesitation to conclude that issue otherwise sought to be decided in the instant proceedings already stands adjudicated in aforesaid case and mandate contained in the judgment, sought to be relied upon, has already been implemented, if it is so, no prejudice, if any, shall be caused to either of the parties in



case directions are issued to the respondents to consider and decide the case of the petitioners in light of aforesaid judgment.

6. Consequently, in view of the above, present petition is disposed of, with the direction to respondents to consider and decide the case of the petitioners in light of judgment passed by this Court in ***Kumari Ranjna*** (supra), expeditiously, preferably, within a period of three weeks. Needless to say, authority concerned while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioners and pass appropriate order and in case petitioners are found similarly situate to the petitioners in afore case, then they shall also be granted similar benefits.

The present petition is disposed in the above terms, so also the pending miscellaneous application(s), if any.

**(Sandeep Sharma),
Judge**

July 07, 2025
(Rajeev Raturi)