

IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA

CMP(M) No. 2228/2025 in
Review Petition No. 41/2026
Decided on: 06.05.2026

HRTC & Ors.

...Petitioners

Versus

Khem Raj

....Respondent

.....
Coram

Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?¹

For the petitioners:

Mr. Raman Jamalta, Advocate.

For the respondent:

Mr. Mohar Singh, Advocate.

Jyotsna Rewal Dua, J.

Petitioner/applicant seeks review/recall of **Khem Raj**

Vs. HRTC & Ors.², which was disposed of on 26.05.2025.

Operative from the said judgment reads as under: -

“5. In view of above, the writ petition is disposed of with a direction to the respondents to pay the amount of remaining retiral benefits to the petitioner with actual rate of interest as per applicable rules, till the time of actual payment, which shall be paid to him within a period of six months from today. The due amount of payment, if delayed beyond six months, shall be paid with interest to the rate of 9% per annum till the date of its actual payment. Pending miscellaneous application(s), if any, shall also stand disposed of..”

The petitioner/applicant has prayed for review of the aforesaid decision on the ground that the respondent had been

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

² CWP No. 8574/2025 decided on 26.05.2025

facing departmental proceedings & multiple charge-sheets had been issued against him. This fact could not be brought to the notice of the Court at the time of the decision in *Khem Raj*². Since the review petition suffers from delay, an application has been moved for condonation of the same.

2. I have heard learned counsel for the parties.

3. In view of the explanation given in the application, I am satisfied that cogent reasons have been made out for condoning the delay. Accordingly, the delay in filing the review petition is condoned. The application is allowed and stands disposed of.

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Be registered.

4. Learned counsel for the respondent (writ petitioner) admitted that multiple charge-sheets issued by the petitioner under the Central Civil Services (Classification, Control and Appeal) Rules, 1965 were pending against the respondent at the time of the decision in *Khem Raj*².

In view of the admitted factual position, which was not brought to the notice of the Court at the time of hearing of *Khem Raj*², and which would evidently have a bearing on the case, the judgment rendered in *Khem Raj*² is required to be recalled/reviewed. Accordingly, the review petition is allowed. The judgment rendered in *Khem Raj*² is recalled. The review petition

stands disposed of. The writ petition is directed to be restored to its original number.

**Jyotsna Rewal Dua
Judge**

6th April, 2026_(rohit)