

IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.

CWP No. 1828 of 2012-C.

Decided on: 28th March, 2012

Sh. Kala Ram son of Shri Bardu Ram, resident of village
Trihami, Post Office Jarol, Tehsil Sundernagar, District
Mandi, H.P.

... Petitioner.

Versus

1. Himachal Pradesh Horticultural Produce Marketing
and Processing Corporation Limited, Nigam Vihar,
Shimla-171002, through its Managing Director
2. The Manager (Finance), Himachal Pradesh
Horticultural Produce Marketing and Processing
Corporation Limited, Nigam Vihar, Shimla-2.

... Respondents.

Coram

The Hon'ble Mr. Justice Kurian Joseph, Chief Justice
The Hon'ble Mr. Justice Dharam Chand Chaudhary, Judge.

For the petitioners : Mr G.R. Palsra, Advocate.

For the Respondents: Mr. Avneesh Bhardwaj, Advocate.

Justice Kurian Joseph, C.J. (Oral)

The Writ Petition is filed with the following prayer:-

- “(i) That the respondent Corporation may
kindly be directed to release the amount of
gratuity and leave encashment to the petitioner
alongwith interest @ 12% per annum, by issuing
a writ of mandamus.
- (ii) That the respondent Corporation may
kindly be directed to pay the arrear of
revised pay-scale to the petitioner since

1.1.2006 till 30.4.2011 as is calculataed
as per Annexure P-2 alongwith interest @
12% per annum, by issuing a writ of
mandamus.

2. According to the petitioner, the issue is covered
in his favour by the judgment of this Court rendered in **CWP
No. 5380 of 2011**, titled **Kanha Singh Vs. The Himachal
Pradesh Horticultural Produce & Processing
Corporation Limited, decided on 18.10.2011**. If that be
so, similar treatment shall also be extended to the petitioner
herein also, as extended to the petitioner in the above
referred decision, in case the petitioner herein is also
similarly situated, within a period of three months from the
date of production of a copy of this judgment along with a
copy of the writ petition by the petitioner before the second
respondent..

The writ petition is disposed of, so also the
pending application(s), if any.

(Justice Kurian Joseph),
Chief Justice

March 28, 2012.
(pc/ss)

(Justice Dharam Chand Chaudhary),
Judge