

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

ON THE 30th DAY OF NOVEMBER, 2021

BEFORE

HON'BLE MR. JUSTICE AJAY MOHAN GOEL

CIVIL WRIT PETITION No. 6402 of 2020

Between:-

1. Manju Devi, w/o Sh. Sarwan Kumar, VPO Gopalpur, Tehsil Palampur, District Kangra, H.P
2. Anita Kumari, W/o Sh. Gopal Dogra, Resident of VPO Sunehad, Tehsil Nagrota Bagwan, District Kangra, H.P
3. Mungeshwari Devi W/o Sh. Surjeet Kumar, Resident of Village Sarotri, Tehsil Baroh, District Kangra, H.P.
4. Reena Kumari D/o Sh. Om Parkash Resident of Village & Post Office Uprli Kothi, Tehsil Nagrota Bagwan, District Kangra, H.P.
5. Suresh Kumari, w/o Sh. Pawan Kumar, resident of Village & Post Office Tehar, Tehsil Harchakyan, District Kangra, H.P.
6. Seema Devi, W/o Sh. Sansar Chand, Resident of Registrar Village and P.O. Dhaloon, Tehsil Bagwan, District Kangra, H.P.
7. Lajya Devi W/o late Sh. Vijay Kumar, Resident of Village Kotla, P.O. Chamiyana, Tehsil Dharamshala, District Kangra, H.P.
8. Rachna Devi, W/o Sh. Ravi Kumar, Resident of Village & Post Office Garoh, Tehsil Shahpur, District Kangra, H.P.
9. Munisha Dhiman, W/o Sh. Naresh Kumar, Resident of Village and Post Office Charri, Tehsil Shahpur, District Kangra, H.P.
10. Sushma Devi, W/o Sh. Surinder Kumar, Resident of Village Boudarna,

P.O. Rehlu, Tehsil Shahpur, District Kangra, H.P.

11. Pooja Devi Dro Sh. Partap Chand, Resident of Village and P.O. Dadhamb, Tehsil Shahpur, District Kangra, H.P
12. Asha Devi W/o Sh. Sujan Singh, Resident of Village Jamned, PO Kakroti, Tehsil Sihunta, District Chamba HP.
13. Meenakshi Devi W/O Balraj VPO Bagdhar Tehsil Dalhousie District Chamba H.P.
14. Aruna Devi, W/o Sh. Jogeshwar Singh, Village Bhadwal, P.O. Matour. Tehsil & District Kangra, H.P.
15. Sunita Kumari W/o Sh. Sanjeev Kumar, Resident of Village and P.O. Sukkar, Tehsil Dharamshala, District Kangra, H.P.
16. Veena Kumari, W/o Sh. Vijay Kumar, Resident of Village Kaned, P.O. Ghiyana kalan, Tehsil Dharamshala, District Kangra, H.P.
17. Nisha Choudhary, W/o late Sh. Subgash Chand, Resident of Village Passu, Post Office Passu Pantehar, Tehsil Dharamshala, District Kangra, H.P.
18. Vinita Devi, W/o Sh. Harbansh Lal, Village Barwala, P.O. Ghiana Kalan, Tehsil Dharamshala, District Kangra, H.P.
19. Bindu Devi W/o Sh. Rakesh Kumar, Resident of V.P.O. Shewn, Tehsil Shahpur, District Kangra, H.P.
20. Pawni Devi W/o Sh. Ranjeet Singh, Resident of Village and P.O. Rait, Tehsil Shahpur, District Kangra, H.P.
21. Soma Devi W/o Sh. Rakesh Kumar, Resident of Upla Bhaniyar, P.O. Shewn, Tehsil Shahpur, District Kangra, H.P.
22. Pinki Devi, W/o Sh. Nek Ram, Resident of Village Gorda, P.O.

Shahpur, Tehsil Shahpur, District Kangra, H.P.

23. Jyoti Sharma, W/o Sh. Ravinder Sharma, Resident of Village and P.O. Bansoor, Tehsil Shahpur, District Kangra, H.P.
24. Munni Bibi, W/o Sh. Makhan, Resident of Village and P.O. Jolna, Tehsil Sihuntha, Distt. Chamba, H.P.
25. Sarotri Devi, W/o Sh. Inder Singh, Resident of Village Dadaman, P.O. Balana, Tehsil Bhatiyat, District Chamba, H.P.
26. Anita Devi Wo Sh Surjeet Singh, Resident of Village Morthu, PO Mortho, Tehsil Sihuntha, District Chamba, H.P.
27. Reetu Devi Wo St. Vinay Singh. Resident of Village Ghanoti, PO. Samote, Tehsil Bhattiyar, District Chamba, H.P.
28. Reena Devi Wa Sh Tilak Ram, Resident of Village Saned, P.O. Rajain. Tehsil Bhattiyar, District Chamba, H.P.
29. Shivani Kumari W/o Sh. Rakesh Kumar, Resident of Village Chhalara, P.O. Sihuntha, Tehsil Sihuntha, District Chamba, H.P.
30. Suman Devi W/o Sh. Rakesh Pal Singh, Resident of Village Dhulera, P.O. Dhulera, Tehsil Bhatiyat, District Chamba, H.P.
31. Anita Joshi W/o Sh. Vidya Sagar, Resident of Village Dhalata, P.O. Kathla, Tehsil Bhatiyat, District Chamba, H.P.
32. Sanjana Devi W/o Sh. Birender Kumar, Resident of Village Malara, P.O. Sihuntha, Tehsil Sihuntha, District Chamba, H.P.
33. Damesha W/o Sh. Ajay Kumar, Resident of Village and P.O. Garnota, Tehsil Bhatiyat, District Chamba, H.P.

34. Kalpna Devi W/o Sh. Sanjay Kumar, Resident of Village and P.O. Hangloh, Tehsil Palampur, District Kangra, H.P.
35. Rachna Devi, W/o Sh. Krishan Kumar, Village Kandi, P.O. Darognu, Tehsil Palampur, District Kangra, H.P.
36. Sapna Devi W/o Sh. Vipan Kumar, Village & Post office Tang Narwana, Tehsil Dharamshala, District Kangra, H.P.
37. Sushama Kumari W/o Sh. Lekh Raj, Resident of Village Jassour, Post Office Ronkhar, Tehsil Nagrota Bagwan, District Kangra, H.P.
38. Sunita Kumari, W/o Sh. Pushpinder Singh, Resident of Village narwana Khas, Post Office Yol Cantt. Tehsil Dharamshala, District Kangra, H.P.
39. Vinod Kumari, W/o Sh. Kalyan Singh, Resident of Village Tharu, Post Office & Tehsil Nagrota Bagwan, District Kangra, H.P.
40. Dimple Kumari W/o Sh. Ashok Kumar, Resident of Village Samayara, P.O. Chhughera, Tehsil Baroh, District Kangra, H.P.
41. Reshma Devi W/o Sh. Harbans Lal, Resident of Village and Post Office Barana, Tehsil Nagrota Bagwan, District Kangra, H.P.
42. Bavita Devi, W/o Sh. Sushil Kumar, Resident of Village Ghoday, P.O. Bhadrehad, Tehsil Nagrota Bagwan, District Kangra, H.P.
43. Veena Dei. W/o Sh. Raj Kumar, Resident of Village & Post Office Massal, Tehsil Nagrota Bagwan, District Kangra, H.P.
44. Sunita Kumari W/o Sh. Anil Kumar, Resident of Village and P.O. Mumta, Tehsil Nagrota Bagwan, District Kangra, H.P.
45. Rachna Devi, W/o Sh. Arjun Singh, Village Gujrehda, P.O. Jalot, Tehsil Nagrota Bagwan, District Kangra, H.P.

46. Virkarma Devi W/o Sh. Raj Kumar, Resident of Village Nihargliu, P.O. Mumta, Tehsil Nagrota Bagwan, District Kangra, H.P.
47. Santosh Kumari W/o Sh. Ompal Kumar, Resident of Village Asanpat, P.O. Lahla, Tehsil Palampur, District Kangra, H.P.
48. Reshma Devi W/o Sh. Behmi Ram, Resident of Village Kand P.O. Kardiana, Tehsil Dharamshala, District Kangra, H.P.
49. Santosh Kumari W/O Vijay Singh resident of Village Maghiyan PO Balana Teshil Bhatiyat District Chamba HP
50. Tripta Devi W/O Sudershan Singh resident of Village Baet PO Dharoon Tehsil Sihuntha District Chamba HP
51. Anjana Kumari W/O Pardeep Singh resident of Village Khanona PO Tundi Tehsil Bhatiyat District Chamba HP
52. Saroj Kumari W/O Ravinder Singh resident of village Hatli PO Darman Tehsil Bhatiyat District Chamba HP.
53. Sonika W/O of Mukesh resident of village and PO Tikkari Tehsil Bhatiyat District Chamba HP
54. Sarita wife of Ajesh Kumar village Latwalaz PO bagoratehsil Palampur District Kangra HP.

.....PETITIONERS

(BY MR. ANUP RATTAN, ADVOCATE)

AND

1. STATE OF HIMACHAL PRADESH, THROUGH ADDITIONAL CHIEF SECRETARY FOREST) TO THE GOVERNMENT OF HIMACHAL PRADESH.
2. PRINCIPAL CHIEF CONSERVATOR OF FOREST, GOVERNMENT OF HIMACHAL PRADESH, SHIMLA.

3. HIMACHAL PRADESH NATURAL RESOURCE MANAGEMENT SOCIETY THROUGH ITS EXECUTIVE OFFICER, FOREST ROAD SOLAN, DISTRICT SOLAN, H.P.

.....**RESPONDENTS**

(MR. ASHOK SHARMA, ADVOCATE GENERAL WITH M/S ADARSH SHARMA AND SANJEEV SOOD, ADDITIONAL ADVOCATE GENERALS WITH MS KAMAL KANT CHANDEL, DEPUTY ADVOCATE GENERAL)

Whether approved for reporting:

This petition coming on for hearing this day, the Court passed the following:-

O R D E R

By way of this writ petition, the petitioners have prayed for the following substantive reliefs:-

"i. That respondents be directed to include the Petitioners Group Organizers working under the KFW Climate Proofing Project as contract employees of respondent No. 3 Society.

ii. That respondents No. 1 and 2 may kindly be directed to direct respondent No. 3 Society to enter into an agreement with the petitioners, as is entered by the respondent No. 3 Society with the staff of Swan River Project, Kandi Project and Indo German Changer Project.

iii. That respondents be directed to extend the benefit of Annexure P-2, service regulations notified on 19.04.2017 to the petitioners and provide all the benefits of this policy.

iv. That respondents be directed to provide the promotional avenues under the respondent No. 3 Society in accordance with law, as is being provided to the staff of other projects."

2. When this case was taken up for consideration, learned Counsel for the petitioner submits that, at this stage, the petitioners shall be satisfied in case the issues raised by them in the writ petition are gone into by respondent No. 3 and appropriate order is passed in this regard by the said authority.

3. Without reverting to the respective contentions of the parties on merit, on the prayer of the petitioners made through counsel, this writ petition is disposed of with the direction that the petitioners may file appropriate representation(s) before respondent No. 3, within a period of two weeks from today, and appropriate orders thereupon, be passed by said authority within a period of four weeks as from the date of receipt of the representation. The petitioners be given hearing in a representative capacity, if so desired. It goes without saying that this Court has not made any observation on the merit of the case and the petition stands disposed of strictly on the basis of request of the petitioners made through their Counsel.

4. The petition stands disposed of in above terms, so also pending miscellaneous application(s), if any.

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(Ajay Mohan Goel)
Judge

November 30, 2021
(narender)