

**IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA**

**CWP No.5939 of 2023**

**Decided on: 31<sup>st</sup> August, 2023**

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Anish Kumar and others ....Petitioners

Versus

State of H.P. & Ors. ...Respondents

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*Coram*

**Ms. Justice Jyotsna Rewal Dua**

<sup>1</sup> *Whether approved for reporting?*

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For the petitioners: Mr. Rakesh Kumar Dogra,  
Advocate.

For the respondents: Mr. Anup Rattan, Advocate General  
with Mr. Rupinder Singh Thakur &  
Mr. Y. P. S. Dhaulta, Additional  
Advocates General, Ms. Seema  
Sharma and Mr. Sumit Sharma,  
Deputy Advocates General.

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**Jyotsna Rewal Dua, Judge**

Notice. Mr. Sumit Sharma, learned Deputy  
Advocate General, appears and waives service of notice on  
behalf of the respondents.

**2.** Heard

**3.** The petitioner has filed the present petition for the  
grant of following relief:-

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<sup>1</sup> *Whether reporters of Local Papers may be allowed to see the judgment?*

“(i) That a writ in the nature of mandamus may kindly be issued, directing the respondents to regularize the services of the petitioners with effect from 01.10.2020 instead of 01.04.2021 with all consequential benefits including seniority etc. etc. as their cases are securely covered by the judgment dated 26.03.2021 (Annexure P-16) rendered by the Hon’ble High Court of Himachal Pradesh in CWP No.5488 of 2020 titled as Gulshan Bhatia and others Vs. State of H.P. and another as well as instructions of the Department of Personnel Govt. of H.P. contained in letter dated 06.04.2022 (Annexure P-17) issued by the Addl. Chief Secretary (Personnel) to the Govt. of H.P. in compliance to the aforesaid judgment, with a direction to all Administrative Secretaries to the Govt. of H.P. Shimla for strict compliance and justice be done.”

4. Learned counsel for the petitioners submits that the cases of the petitioners and reliefs prayed for by them have already been adjudicated in 26.03.2021 rendered in **CWP No. 5488 of 2020 (Gulshan Bhatia and others Vs. State of H.P. and another)**. Learned counsel further submit that the respondents have also issued instructions on 06.04.2022 (Annexure P-17) concerning regularization of the services of contract appointees. It was also submitted that based upon the decision in *Gulshan Bhatia’s* case *supra* and the instructions dated 06.04.2022, respondents have already

passed office orders in case of other similarly situated employees. Learned counsel for the petitioner states that the petitioners would be content if the cases of the petitioners are considered by the respondents in light of the aforesaid judgment and instructions. Learned Additional Advocate General has no objection to this prayer.

**5.** Having regard to above submissions and without examining the merits of the matter, this petition is disposed of by directing the respondents to consider the respective cases of the petitioners in light of the aforesaid judgment in Gulshan Bhatia's case as well as instructions dated 06.04.2022 (Annexure P-17) and pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of copy of this order. The decision so arrived at, shall also be communicated to the petitioners.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua  
Judge

August 31, 2023  
*R. Atal*