

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CWP No.8937, 8963, 9007, 9008 and
10251 of 2023 and 623 of 2024
Date of Decision: 30.5.2025**

1. CWP No. 8937 of 2023

Shubham Sharma
.....Petitioner
Versus
The Additional Chief Secretary Revenue and Anr.
.....Respondents

2. CWP No. 8963 of 2023

Shishu Pal Mehta
.....Petitioner
Versus
The Secretary Corporation and Anr.
.....Respondents

3. CWP No. 9007 of 2023

Babita
.....Petitioner
Versus
The Secretary HPSEBL and Anr.
.....Respondents

4. CWP No. 9008 of 2023

Nittu
.....Petitioner
Versus
The Secretary HPSEBL and Anr.
.....Respondents

5. CWP No. 10251 of 2023

Janesh Thakur
.....Petitioner
Versus
The Principal Secretary-cum- FC Revenue and Anr.
.....Respondents

6. CWP No.623 of 2024

Ramel Kumar and Anr.

.....Petitioner

Versus

State of Himachal Pradesh and another

.....Respondents

Coram

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

For the Petitioner(s): Mr. Rakesh Kumar Sharma, Advocate.

For the respondent(s): Mr. Anup Rattan, Advocate General with Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General and Mr. Ravi Chauhan, Deputy Advocate General. Mr. Anil Chaudhary, Advocate, for the respondents in CWP Nos. 9007 and 9008 of 2023.

Sandeep Sharma, J. *(Oral)*

Since common questions of law and facts are involved in the above captioned petitions and similar reliefs have been claimed, all these matters were heard together and are being disposed of vide this common judgment.

2. By way of instant petitions, petitioners have prayed for the reliefs, which are similar, as such, relief prayed for in CWP No. 8937 of 2023 is reproduced herein below:-

“a) This Hon'ble Court may kindly be pleased to direct the respondent by way of issuance of writ of mandamus to consider the petitioners as having been appointed against the post of Junior Office Assistant (IT) pursuant to office order dated 15.2.2021 on regular basis for all intents and purpose and further this Hon'ble Court may be pleased to issue a Writ of

Certiorari quashing the word 'contract' from the appointment letter **Annexure P-2** and granting them regularization from the date of his initial appointment i.e. 05.02.2021.

b) This Hon'ble Court may further be pleased to issue a Writ of Mandamus directing the respondent State to pay to the petitioner all the emoluments as he is entitled at par with regular employee in the establishment of respondent department w.e.f. Petitioner's date of appointment i.e. 5.02.2021 with all consequential benefits including counting the period for the purpose of seniority etc."

3. Before reply, if any, from the respondents could be received, learned counsel representing the petitioners, while inviting attention of this Court to judgments passed by Coordinate Bench of this Court in CWP No. 4299 of 2019 titled as **Pushpa Devi Vs. Himachal Pradesh University**, in CWP No. 5090 of 2022 titled as **Umesh Jaswal Vs. State of Himachal Pradesh & Ors.**, and in CWPOA No. 1077 of 2019 titled as **Nitin Kumar Vs. State of Himachal Pradesh & Ors.**, state that issue raised in the instant proceedings already stands adjudicated by Coordinate Bench of this Court in Pushpa Devi, Umesh Jaswal and Nitin Kumar (supra) and as such, petitioners would be content and satisfied in case they are permitted to make representations to the competent authority for redressal of their grievance, with the direction to the respondents to decide the same in a time bound manner.

4. While putting in appearance on behalf of respondents, Mr. Rajan Kahol, learned Additional Advocate General, fairly states that

representations, if any, filed by the petitioners shall be considered and decided expeditiously.

5. Having carefully perused the averments contained in the petitions, which are duly supported by the affidavits vis-à-vis judgments sought to be relied upon, there appears to be merit in the contention of learned counsel representing the parties that issue otherwise sought to be decided in the instant proceedings already stands adjudicated in afore cases, which otherwise stands implemented, as is evident from order dated 08.01.2025 passed by Director Elementary Education, Himachal Pradesh. If it is so, there is otherwise no impediment in accepting the prayer made on behalf of the petitioners to issue direction to the respondents to consider and decide their representations in time bound manner.

6. Consequently, in view of the aforesaid fair stand adopted by learned Additional Advocate General, this Court deems it fit to dispose of the present petitions, reserving liberty to the petitioners to file representations to the competent authority within a period of ten days, praying therein for consideration of their cases in light of judgments passed by Coordinate Bench of this Court in **Pushpa Devi, Umesh Jaswal and Nitin Kumar** (supra) which in turn, shall be decided by the competent authority within a period of four weeks. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of

being heard to the petitioners and pass speaking order. Pending applications, if any, stand disposed of.

May 30, 2025
(manjit)

**(Sandeep Sharma),
Judge**