

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

CWPOA No.7823 of 2019

Decided on: 30.12.2025

Bhuvnesh Kumar

.....Petitioner

Versus

The State of Himachal Pradesh
and others

....Respondents

Coram

Hon'ble Mr. Justice Ranjan Sharma, Judge

¹ *Whether approved for reporting?*

For the petitioner: Ms. Ritta Goswami, Senior Advocate with Ms. Komal Chaudhary and Ms. Bhawna Dhiman, Advocates.

For the respondents: Mr. Navlesh Verma, Additional Advocate General with Mr. Amit Kumar Chaudhary, Deputy Advocate General, for Respondents No.1, 2 and 4-State.

Mr. Manohar Lal Sharma, Advocate, for Respondent No.3-DOEACC Centre.

Ranjan Sharma, Judge

Petitioner, Bhuvnesh Kumar, has filed *Original Application No.3266 of 2015* before State Administrative Tribunal and upon abolition of Tribunal, the matter came to be transferred to this Court as *CWPOA No.7823 of 2019*, seeking the following reliefs:-

¹ *Whether reporters of Local Papers may be allowed to see the judgment?*

- “8 (1) That the respondents may kindly be directed to take over the services of the applicant as P.G.T. (I.P.) on the regular basis in the education department w.e.f. his initial engagement as made by I.T. computer/Private Company for imparting I.T. Education in Government School under Respondent Department with all consequential benefits;
- 8(2) That the respondents may kindly be directed to pay the equal salary for the equal work as the applicant is performing the duties of P.G.T. (IP) similar to the duties as discharged by the regular PGT (IP) teachers is legally entitled for the equal salary with all the consequential monetary benefits along with interest from the date of his initial appointment on the concept of right to equality mentioned under Article 14 of the Constitution of India.”

2. Pursuant to issuance of notice on 07.07.2016, State Authorities were directed to file Reply-Affidavit. Pursuant to this, State Authorities [Respondents No.1, 2 and 4] have filed Reply-Affidavit dated 16.11.2016 of Director Higher Education, Himachal Pradesh. Even Respondent No.3 has filed a separate Reply-Affidavit dated 21.10.2016 of Director, NIELIT, Shimla.

3. *At this stage,* Learned Senior Counsel, Ms. Ritta Goswami, assisted by Komal Chaudhary and Ms. Bhawna Dhiman, Advocates, submits that issue involved in the instant case is covered by a judgment passed by the Co-ordinate Bench of this Court in ***Manoj Kumar Sharma & others Versus State of H.P. &***

others [CWPOA No.6612 of 2019], decided on 17.09.2025, whereby, the Respondents were directed to regularize the services of the petitioners *at par* with PAT, GVU and PTA categories at least from the date of filing of the petition by completing the entire exercise within twelve weeks from the receipt of copy of judgment.

4. Learned Senior Counsel submits that since the issue is similar to the judgment in the case of **Manoj Kumar Sharma [supra]**, therefore, the petitioner shall be satisfied, in case, the Respondents are directed to examine the matter in the light of the judgment in the case of **Manoj Kumar Sharma [supra]** [Statement Taken on Record].

5. *Per contra*, Learned State Counsel submits that applicability and finality of the judgment in **Manoj Kumar Sharma [supra]** needs to be looked into and factual aspects are also to be verified by the State Authorities.

6. Even Learned Counsel for Respondent No.3 submits that decision with respect to the fact as to whether the case of petitioner is covered or not, is to be taken by the State Authorities.

7. Heard, Ms. Ritta Goswami, Senior Counsel assisted by Ms. Komal Chaudhary and Ms. Bhawna Dhiman, Advocates, for the petitioner; Mr. Navlesh Verma, Learned Additional Advocate General with Mr. Amit Kumar Chaudhary, Learned Deputy Advocate General, for Respondents No.1, 2 and 4-State; and Mr. Manohar Lal Sharma, Learned Counsel, for Respondent No.3-DOEACC-Centre.

8. Taking into account the entirety of facts and circumstances; material placed on record and statement made by Ms. Ritta Goswami, Learned Senior Counsel, for the petitioner, leaving all questions open, this Court disposes of the instant petition, *in the following terms:-*

- (i) State Authorities are directed to consider/ examine the case of the petitioner for reliefs in the light of judgment in the case of ***Manoj Kumar Sharma [supra]***, within six weeks from today;
- (ii) Upon consideration, in case, the petitioner is found similarly placed, admissible benefits be extended to the petitioner also;
- (iii) *Needless to say*, that this Court has not adverted to the rival claims and contentions which are left to be examined by the State Authorities, independently, in accordance

with law, within the above period;

- (iv) Costs made easy for respective parties.

In aforesaid terms, instant petition stands disposed of alongwith pending miscellaneous application(s), if any.

(Ranjan Sharma)
Judge

December 30, 2025

[Bhardwaj]