

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.2872 of 2026

Decided on: 5th October, 2026

Radha Rani

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Vaibhav Tanwar, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General
with Mr. Sikander Bhushan, Deputy
Advocate General.

Jyotsna Rewal Dua, Judge

Despite grant of repeated opportunities, the respondents have not filed reply, however, with the consent of learned counsel for the parties, the matter is heard at this stage.

2. This writ petition has been filed for the grant of following substantive reliefs:-

- “1. That a writ of certiorari may kindly be issued to quash and set-aside office order dated 26.11.2025 (Annexure P-2) in the interest of justice.*
- 2. That a writ of mandamus may kindly be issued directing the respondents to grant to the petitioner the benefit of higher stage of pay of Rs.40100/- from the*

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

date the petitioner has completed two years of regular service as per the judgment passed by the Hon'ble Court in CWP No.4830/2023 titled Inder Singh Thakur & Ors versus State of H.P. & others. Further direct the respondents to release to the petitioners all the consequential benefits along with arrears at the rate of 9% per annum.

3. *That the respondents may also be directed to re-fix the pay of the petitioner at Rs.40100/- w.e.f. 04.10.2019 on which date the petitioner completed two years of regular service and to pay to the petitioner arrears along with interest @ 9% per annum along with consequential benefits."*

3. Petitioner had instituted CWP No.15944 of 2025, seeking benefit of higher stage of pay of Rs.40100/- in light of the decision rendered in ***Inder Singh Thakur & Ors. Versus State of H.P. & Ors.***². The writ petition was disposed of on 10.10.2025 with direction to the respondents to consider and decide the case of the petitioner in accordance with law and in terms of the aforesaid decision.

Pursuant to above, the respondents considered the case of the petitioner and rejected it on 26.11.2025 on the ground that the decision in *Inder Singh Thakur*² had not yet attained finality and the same has been assailed by the respondent Department in a Letters Patent Appeal.

4. It is an admitted position of the parties that there is no interim order operating against the decision in

² CWP No.4830 of 2023, decided alongwith connected matter on 07.04.2025

*Inder Singh Thakur's*² case. Mere pendency of the Letters Patent Appeal is no ground for not considering the case of the petitioner in light of *Inder Singh Thakur*² in view of the specific directions already issued to the respondents in CWP No.15944 of 2025.

5. Accordingly, the impugned order dated 26.11.2025 (Annexure P-2) is quashed and set aside with direction to respondent No.2/competent authority to consider and decide the case of the petitioner afresh in accordance with law, strictly in consonance with *Inder Singh Thakur*² by passing appropriate order, within a period of four weeks from today. The decision so arrived at shall also be communicated to the petitioner.

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

October 05, 2026
Mukesh

Jyotsna Rewal Dua
Judge