

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

LPA No.393 of 2026
Decided on : 14.07.2026

Sunita Rana

...Appellant

Versus

State of HP and Ors.

...Respondents.

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.

Hon'ble Mr. Justice Bipin Chander Negi, Judge.

Whether approved for reporting?¹

For the appellant : M/s Parav Sharma, Shekhar Badola and
Srishti, Advocates.

For the respondents : Mr. Arsh Rattan, Deputy Advocate
General.

G.S. Sandhawalia, Chief Justice (*Oral*)

By way of the present appeal, a challenge has been laid to the impugned order dated 12.03.2026, passed by the learned Single Judge in ***CWP No.1374 of 2022, titled Sunita Rana Vs. State of HP and Ors.***

2. The learned Single Judge chose not to interfere in the order dated 29.02.2020 (Annexure P-8) wrongly mentioned as 29.02.2021 in the writ petition. The reasons, which weighed with the learned Single Judge, were that valid reasons were given by the competent authority, while rejecting the representation of the

¹ *Whether the reporters of the local papers may be allowed to see the Judgment? Yes*

petitioner seeking relief of the appointment of an Art and Craft Teacher with effect from 2002-03. The same was rejected primarily on the ground that the experience was only from a Primary School and Art and Craft subject was not being taught in the Primary School. Thereafter, the experience in the Army School was also for the different subject, namely, Socially Useful Productive Work (SUPW) and had no nexus with the Art and Craft subject. The last certificate was from the Kendriya Vidyalaya Yol Cantt, District Kangra. The same was issued on 22.02.2003 and was not considered in the interview conducted in the year 2002 by the Selection Committee.

3. The learned Single Judge had also taken note of the contention of the State in the written statement that even if the marks were to be awarded to the petitioner, even then she did not fall in the merit, as the last selected candidate was also having more marks than the petitioner. The said fact was not disputed by the petitioner by filing any replication. It has also been noticed that she had already attained the age of 61 years, when she filed the petition and the dispute in the case, at hand, was of the year 2003.

4. Learned counsel for the appellant has contended that the appellant was pursuing her rights since 2004 and she had filed an Original Application before the Erstwhile State Administrative Tribunal. On abolition of the Tribunal, the said application was

transferred to this Court, the same was finally decided by the learned Single Judge on 01.04.2011 being **CWP(T) No.11469 of 2008, titled Sunita Rana Vs. The State of HP and Ors.** (Annexure P-3). It is, thus, submitted by the learned counsel for the appellant that she had been duly representing her cause as such and there was no fault on her part.

5. We have gone through the case file and are of the considered opinion that firstly on account of the stance taken by the State, which was similar in the nature, the learned Single Judge firstly on 01.04.2011, had not granted any benefit to the petitioner and only gave the benefit of filing an appropriate representation along with a copy of the judgment before the competent authority. Apparently, she was not represented at that particular point of time and no effort as such was made by her to find out the fate of her case and only later in 2016, she had filed a fresh petition, which was again disposed of with the similar direction to decide the representation and thereafter the impugned order was passed. Valid reasons have been given in the order, which have been noticed by the learned Single Judge.

6. We are of the considered opinion that the filing of the writ petition was belated, having been filed after a period of one and a half year. The writ petition was filed only in October 2021, whereas the order had been passed much earlier, on 29.02.2020.

No effort appears to have been made to have the matter listed, and it was eventually numbered only in 2022. The petitioner had retired on 31.03.2018, and the learned Single Judge had observed that she was 61 years of age at the relevant point of time. The manner in which the petitioner had pursued her grievances, is also not to be appreciated. Rather, it appears that the only effort was to secure certain service benefits for the intervening period and to obtain retrospective appointment from an earlier date. Justifiable reasons were assigned in the impugned order dated 29.02.2020, which had also formed part of the reply filed in the earlier round of litigation. Therefore, for these reasons, we do not find any scope for interference in the present appeal.

7. Thus, for the aforesaid reasons, we are of the considered view that the present appeal is bereft of merits, therefore, the same is dismissed accordingly. Pending applications, if any, also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

14th July, 2026
(Gaurav Rawat)