

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

**CWP No. 11903 of 2026 a/w
CWPs No. 11908 and 11911 of 2026
Decided on : 20.07.2026**

1. CWP No. 11903 of 2026

Union of India and another

...Petitioners

Versus

Sh. Vikas Thakur and another

...Respondents

2. CWP No. 11908 of 2026

Union of India and another

...Petitioners

Versus

Sh. Baldev Raj Gill and another

...Respondents

3. CWP No. 11911 of 2026

Union of India and another

...Petitioners

Versus

Sh. Tek Chand and another

...Respondents

Coram

**The Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.
The Hon'ble Mr. Justice Bipin C. Negi, Judge.**

Whether approved for reporting?¹

For the petitioners : Mr. Balram Sharma, DSGI, with
Mr. Rajeev Sharma, Advocate,
for the petitioners, in all petitions.

For the respondents : Ms. Babita Chauhan, Advocate,
for Mr. A.K. Gupta, Advocate, for
the respondent, in all petitions.

¹ Whether reporters of the local papers may be allowed to see the judgment?

G.S. Sandhawalia, Chief Justice (Oral)

With the consent of the parties, these writ petitions are being disposed of by way of a common judgment, being covered by an earlier decision.

2. The relief as such, had been granted by the Tribunal vide impugned orders passed in ***O.A. No. 63 / 01043 / 2022***, titled ***Sh. Vikas Thakur Vs. Union of India and others***, dated 30.01.2026, ***O.A. No. 63 / 01039 / 2022***, titled ***Sh. Baldev Raj Gill Vs. Union of India and others***, dated 30.01.2026 and ***O.A. No. 61 / 01040 / 2022***, titled ***Sh. Tek Chand Vs. Union of India and others***, dated 30.01.2026 and the present petitioner i.e. Union of India, had been asked to consider the case of the employees for regularization, in view of the services rendered by them, as per the judgment passed by the Apex Court in ***Jaggo Vs. Union of India and others***, reported in ***2024 INSC 1034*** and in ***Dharam Singh and others Vs. State of U.P. and another***, reported in ***2025 LiveLaw (SC) 818***.

3. The grouse of the Union of India is only that consideration should be done on the basis of other similar judgments on the said issue.

4. The Coordinate Bench of this Court, of which Hon'ble Mr. Justice Bipin C. Negi, Judge, was also a Member,

had passed the order in **CWP No. 11420 of 2026**, titled **Union of India and another Vs. Sh. Het Ram**, decided on 13.07.2026, on the same issue, the relevant portion of which reads as under:-

“3. Learned Deputy Solicitor General of India submits that while disposing of the original application with direction to consider the case of the original applicant therein, in terms of the judgment passed by the Hon’ble Supreme Court, in Jaggo versus Union of India and other, learned Tribunal erred in not taking into consideration the fact that there were other pronouncements also of the Hon’ble Supreme Court of India on the issue. Learned Deputy Solicitor General of India further submits that in the backdrop of his submissions, this petition be allowed by either setting aside the order 30.01.2026 passed by the learned Tribunal or by modifying it to the extent that in the course of the consideration of the case of the original applicant, the Competent Authority be given liberty to take into consideration the following judgments also of the Hon’ble Supreme Court, besides Jaggo versus Union of India and others, 2024 INSC 1034:-

1. “Madan Singh versus State of Haryana, 2026 INSC 379 (Civil Appeal No.1996 of 2024).

2. Union of India and others versus Ilmo Devi and another, AIR 2021 SC 4855 and 2021 SCC Online SC 899.”

4. This Court is of the considered view that as the request made by the learned Deputy Solicitor General of India is an innocuous one, for the reason that if there are more than one recent pronouncement of the Hon’ble Supreme Court of India on the issue, it would be in the interest of justice, in case the order dated 30.01.2026 passed by the Tribunal is modified to the extent that in addition to the judgment of Hon’ble Supreme Court in

Jaggo versus Union of India and others (supra), the Competent Authority can take into consideration the other judgments of the Hon'ble Supreme Court of India also while passing the order. Otherwise also the Authority concerned cannot be precluded from considering other pronouncements of the Hon'ble Apex Court on the issue existing, as on the date, when the Authority considers the case of the original applicant. The order under challenge, passed by the learned Central Administrative Tribunal, Chandigarh is accordingly modified to the extent that while considering the case of the original applicant, the Competent Authority can take into consideration, besides the judgments of the Hon'ble Supreme Court referred to in the order passed by the learned Tribunal, the other judgments also of the Hon'ble Supreme Court, reference whereof is made in this order.

5. *Petition disposed of in above terms. It is clarified that this Court has not expressed any view on the merits of the issue.*

6. *Pending miscellaneous application(s), if any, also stand disposed of accordingly."*

5. Keeping in view the above, we dispose of these writ petitions also, in the same terms. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

July 20, 2026

2026:HHC:30038
2026:HHC:30040
2026:HHC:30042

(Shivank Thakur)