

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CMP(M) No.1223 of 2026 in
LPA No.457 of 2026
Date of Decision:- 04.08.2026**

Chaman Lal	Versus	Appellant
State of Himachal Pradesh and another		Respondents

Coram

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

Whether approved for reporting?¹

For the Appellant : Mr. Sanjay Kumar Sharma,
Advocate.

For the Respondents : Mr. Gobind Korla, Additional
Advocate General.

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

CMP(M) No.1223 of 2026

Keeping in view the averments made in the application, duly supported by an affidavit of appellant-Chaman Lal, delay of 91 days in filing the appeal is condoned.

2. The application stands disposed off accordingly.

LPA No.457 of 2026

3. Consideration in the present Letters Patent Appeal is sought to the order passed by the learned Single Judge in

CWPOA No.2612 of 2019, titled as Chaman Lal Vs. State of

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

H.P. and another, dated 09.03.2026 filed by the present appellant, who is aggrieved against the partial allowing of the writ petition, whereby the direction was given only to pay wages of Revenue Chowkidar, which were prevalent when the services of the petitioner were taken for seven years only, while not interfering in the order dated 23.09.2013 (**Annexure P-3**).

4. A perusal of the order dated 23.09.2013 (**Annexure P-3**) would go on to show that the Deputy Commissioner, Mandi, District Mandi, Himachal Pradesh had concluded that the appellant was never appointed as a Revenue Chowkidar in Patwar Circle Nabahi by any competent authority. The mere fact that he had apparently worked at Patwar Circle Nabahi for 7–8 years without any honorarium did not confer any legal status upon him. Resultantly, it was held that he was not covered under the policy dated 27.02.2004 or any other policy, and no further action was required to be taken on the application of the appellant.

5. The said order dated 23.09.2013 (**Annexure P-3**) was passed considering that the petitioner-appellant had previously filed **CWP No. 3099 of 2012**, titled as **Chaman Lal Vs. State of H.P. and another**, before this Court. A Coordinate Bench of this Court, vide an order dated 02.05.2012 (**Annexure**

P-1), had directed consideration of his daily-waged status and other benefits in terms of the policy dated 27.02.2004 and subsequent policies.

6. It is thus apparent that at that time, the petitioner-appellant was seeking work-charge status and the competent and appointing authority was the Deputy Commissioner to the post of Revenue Chowkidar. The Deputy Commissioner, Mandi, District Mandi, Himachal Pradesh, had come to the conclusion that the appointment was not made by him. It is also thus apparent that a lower-level work had been taken from the writ petitioner-appellant and the learned Single Judge had issued directions, keeping in view the fact that he would be entitled to the wages prevalent at that point of time.

7. Counsel for the respondents-State has also informed us that he has been duly paid the wages, and the amount has been reimbursed to him for the said period.

8. Counsel for the appellant has tried to convince us that, on account of the long period of service, the appellant would be entitled to the benefit of work-charge status and, thereafter, for regularization. We are not inclined to pass any such order in favour of the appellant, who apparently entered through the backdoor and whose services were utilized by the revenue

officials at a lower level. Apparently, the benefit was recommended only because the Village Revenue Officer (Patwari) had submitted a report which was further confirmed by the Field Kanungo recommending on 15.01.2010, that it would be proper to appoint the appellant as a Revenue Chowkidar and noting that he had worked honestly.

9. As per clause 5.1 of the Himachal Pradesh Land Records Manual, the appointing authority for the Revenue Chowkidar is the Deputy Commissioner. Thus, we are of the considered opinion that merely because someone's services were utilized at the Patwari or Kanungo level, it does not confer any vested right for a daily-wage worker to claim regularization. Permitting such regularization would open the floodgates for appointment of Class-IV employees in the field by the persons who are not competent to engage them. The Deputy Commissioner, Mandi had recorded the findings in the order dated 23.09.2013 (**Annexure P-3**), which was the subject matter of the challenge, stating that the petitioner was not appointed as a Revenue Chowkidar by any competent authority.

10. The reply filed by the respondents-State before the erstwhile Tribunal, where the proceedings were first initiated in the year 2013, shows that the State's stand was that no Revenue

Chowkidar had been appointed after 1992. Resultantly, the writ petitioner-appellant's claim regarding his appointment in 1997 was automatically falsified, as he was never appointed as a Revenue Chowkidar by a competent authority, and neither the Patwari nor the Kanungo had the power to make such an appointment.

11. In such circumstances, we are of the considered opinion that the relief prayed for in the original application that the petitioner-appellant be given daily-wage status, has rightly been declined by the learned Single Judge, who however, rightly granted directions to pay wages as permissible for the period he had actually served.

12. Accordingly, there is no scope to interfere with the well reasoned order dated 09.03.2026, passed by the learned Single Judge. Resultantly, the present appeal stands dismissed.

13. Pending miscellaneous application(s) if any, shall also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

4th August, 2026
(Munish Thakur)