IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

COPC No. 1365 of 2026

Date of decision: 21.09.2026.

Kumari Poonam & others ...Petitioners.

Versus

Rakesh Kanwar & another ...Respondents.

Coram:

The Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?[1]

For the petitioners : Ms. Mamta Garg, Advocate.

For the respondents : Mr. Rahul Thakur, Deputy Advocate General.

Ranjan Sharma, Judge:

Petitioners have invoked contempt jurisdiction of this Court, alleging non-compliance of the judgment/order dated 05.09.2024 [Annexure C-1], passed by a Coordinate Bench of this Court, in CWP No. 9323 of 2024, titled as Kumari Poonam & others vs. State of Himachal Pradesh & others, whereby, the respondents were directed to decide the representation [Annexure P-9 in said writ petition], in terms of the judgment being relied upon.

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

2. Learned Counsel for the petitioners submits that though Respondent-Director of Elementary Education has passed an order on 05.10.2024 [Annexure C-2], granting deemed regular appointment from the date of initial contract appointment but these benefits have not been extended/released and the judgment has not been implemented, as yet.

3. Learned Counsel for the petitioners submits that an office order dated 19.09.2025 [*Annexure C-3*], has been passed by Director of School Education that in cases, where the writ petitions were filed before the Hon'ble High Court till December 2024, then, in such case, the benefits shall be extended to the petitioners for three years preceding the filing of the respective writ petitions. The relevant part of the Communication dated 19.09.2025 (supra), reads as under:-

> *"Whereas, on the same analogy, 1080 petitioners have been considered as regular employees of the state from the date when they initially appointed/joined as Lecturers on contract basis with all consequential benefits vide office order No. EDN-H(19)B(1)-6/2010-11-Court cases, dated 10.09.2025. However, the monetary benefits are restricted only from three years proceeding to the date of filing of the petition.*
>
> *Therefore in view of the above and* ***in order to ensure uniformity in respect of the***

implementation of the judgments *passed by the Hon'ble High Court of HP specifically drawing, analogies with the cases decided on the analogy of CWP No. 414/2014 titled as Kuldip Chand Vs State & others alongwith No. LPA No.54/2013 titled as State of HP Vs Om Prakash and all other connected matters,* ***it has been decided that the monetary benefits due to the petitioners will be restricted to three years immediately preceding the filing of the writ petitions in respect of the petitioners of*** *the office orders of even No. dated 06.09.2024, 05.10.2024, 06.11.2024, 11.11.2024, 14.11.2024, 26.11.2024, 12.12.2024, 08.01.2025 & 01.02.2025. However, it is clarified that these orders are issued only for the petitioners of those writ petitions which were filed before the Hon'ble High Court of H.P. till December 2024.*

The concerned Principal/Headmaster/ Incharge of GSSS/GHS/GMS of H.P. is further directed that consequential benefits regarding monetary benefits qua petitioners shall be released as per the instructions issued by the Finance Department, H.P. vide letter No. Fin-E-I-C(17)-6/08 dated 07.01.2012 and 01.07.2024 and No. Fin-(PR)B(7)-1/2021-Loose dated 17.09.2022.

These orders are issued as per approval conveyed by the Government vide letter No. EDN-C-E(3)3/2020 dated 15.05.2024 & EDN-E-(5)21/2023 dated 23.08.2025.

Sd/-
DIRECTOR
ELEMENTARY EDUCATION”

In this backdrop, Learned Counsel for the petitioners submits that since the petitioner(s) had filed writ petitions before December 2024, therefore, the petitioners shall be satisfied, in case, the State Authorities are directed to extend eligible monetary benefits admissible to the petitioner(s), for three years preceding the filing of their respective writ petitions, so as to ensure compliance of the judgment dated 11.07.2024 [Annexure P-1] [*Statement taken on record*], by reserving the liberty, in case the grievance, still survives.

3. Heard.

4. Notice. Mr. Rahul Thakur, Learned Deputy Advocate General waives service of notice on behalf of the respondents.

5. Considering the statement made by Learned Counsel for the petitioner(s), the present petition is disposed of, with the directions to the Respondents-Competent Authorities to implement the judgment in letter and spirit and release the eligible monetary benefits, admissible in terms of the judgment as well as the communication dated 19.09.2025 [Annexure C-3] extracted hereinabove; by

taking all steps towards implementation of judgment, in letter and spirit, within six weeks from today.

6. In case, any grievance still remains, petitioners may seek appropriate remedy, hereinafter, in accordance with law.

7. In aforesaid terms, the instant petition stands disposed of, alongwith pending applications, if any.

(Ranjan Sharma)
Judge

21st September, 2026.
(kck)