

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17259 of 2026

Decided on: 6th October, 2026

Sohan Singh

.....**Petitioner**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. A.K. Gupta and Mr. Bonit Thakur,
Advocates.

For the Respondents: Ms. Seema Sharma, Deputy Advocate
General.

Jyotsna Rewal Dua, Judge

Notice. Ms. Seema Sharma, learned Deputy Advocate General, appears and waives service of notice on behalf of the respondents.

In view of the grievance of the petitioner, the issue raised herein and the reliance placed by the petitioner upon certain decisions rendered by the Hon'ble Co-ordinate Bench of this Court, there is no necessity to call for reply from the respondents. Matter has accordingly been heard at this stage.

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

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

- i. *That instructions, Annexure P-3, dated 04.04.2026 may be read down/quashed and the respondents may be ordered to grant increments to the petitioner after the grant of work charge status, with all benefits incidental thereof.*
- ii. *That Annexure P-1 may also be set quashed to the extent it does not give increments to the petitioner.”*

3. It is the case of the petitioner that he was conferred daily wage status in the year 1995 and his services were regularized in the year 2007. Pursuant to the decision rendered in ***The State of Himachal Pradesh & Ors. Versus Surajmani & Anr.***², the petitioner was conferred work charge status w.e.f. 01.01.2003 and his pay was accordingly re-fixed vide Annexure P-1, dated 30.03.2026. Petitioner's grievance is that the respondents have not conferred annual increments to him for the period of his work charged service, i.e. between 01.01.2003 till the date of his regularization in the year 2007. That annual increments were conferred upon him w.e.f. 01.09.2007.

4. This issue has already been adjudicated upon in ***Jayanti Rathore and others Versus State of Himachal Pradesh and others***³, wherein following operative directions were issued:-

² Civil Appeal No.1595 of 2025, decided alongwith connected civil appeals on 06.02.2025

³ CWPOA No.3103 of 2020, decided on 19.11.2025

“8. In view of above discussion, and for the reasons recorded herein above, the instant petition is disposed of, in following terms:-

- (i). Claim of petitioners for work charge status from the date of completion of 8 years of continuous daily wages service [stand already given to petitioners 1 & 2 w.e.f. 01.01.2004 and to petitioners 3 to 6 w.e.f. 01.01.2005] is affirmed; being inconsonance with the mandate of Hon’ble Supreme Court in case of Surajmani (supra);
- (ii) State Authorities shall extend the relief of “notional benefits” to the petitioners from the date of grant of work charge status [if not already granted] with annual increments till regularization with ‘notional benefits’, but without any past arrears;
- (iii). Claim of the petitioners for past arrears [wholly or in part] upon grant of work charge status is declined in terms of the mandate of the Hon’ble Supreme Court in Surajmani (supra) which recognizes “notional benefits”;
- (iv). Parties to bear respective costs.”

*Jayanti Rathore*³ has directed the respondent-State to extend the relief of notional benefits from the date of grant of work charge status with annual increments till regularization with notional benefits, but without any past arrears. Admittedly, there is no interim order operating against the above directions issued in *Jayanti Rathore*³ till date.

5. In view of above, this writ petition is disposed of with direction to the respondents to confer the benefit of afore-extracted directions issued in *Jayanti Rathore*³ to the petitioner as well by re-fixing his pay accordingly. This exercise be carried out within three weeks from today.

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

October 06, 2026
Mukesh

Jyotsna Rewal Dua
Judge