IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 15618/2024 alongwith connected matters
Decided on: 19.12.2024

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1. CWP No. 15618/2024

Nagesh Kumar & Ors. ….Petitioners

Versus

State of H.P. & Ors. ……Respondents

2. CWP No. 15562/2024

Kanhaiya Lal & Ors. ….Petitioners

Versus

State of H.P. & Ors. ……Respondents

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner(s) : Mr. Onkar Jairath, Advocate.

For the respondent(s) : Mr. L.N. Sharma, Additional Advocates General.

Jyotsna Rewal Dua, J

Notice. Mr. L.N. Sharma, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. These instant writ petitions have been filed for the grant of following substantive reliefs:-

> *"a. That this Hon'ble Court may be pleased to issue the Writ in the nature of mandamus, order or directions directing the Respondents to regularize the services of the Petitioners w.e.f.*

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

the date when the Petitioners have completed their two years' service on contract basis i.e. from the date the Regularization Policy was liberalized, along with all consequential benefits, including the benefit of Himachal Pradesh Civil Services (Revised pay) Rules, 2022 and the petitioners be accorded the benefit of Himachal Pradesh Civil Services (Revised pay) Rules, 2022 after taking into account the services rendered by them on contract basis as having been appointed prior to 03.01.2022, as has been approved by the Cabinet on 14.10.2022.

ii) That this Hon'ble Court may be pleased to issue the Writ in the nature of mandamus directing the Respondents to extend the benefits of the Notifications dated 03.01.2022 & 06.09.2022 and Grant Higher Stage of Pay in the Concerned Level of Pay Matrix i.e. Rs. 31200/- as per Notification dated 06.09.2022 and fix their pay from due date i.e. after completion two years of regular service with all consequential benefits including the arrears along with interest @ 9%.

3. Learned counsel for the petitioners states that the case of the petitioners, reliefs prayed for by them and the issue involved in the case have already been adjudicated upon **Mohit Sharma & Anr. Vs. State of H.P. & Ors.**[2] Learned counsel further submitted that the petitioners would be satisfied, in case, respondents/competent authority are directed to consider and decide the cases of the petitioners, in light of the law laid down in the aforesaid judgment, in a time bound manner. Prayer is not opposed by learned Additional Advocate General for the respondents.

[2]CWP No. 1638/2024 decided on 29.11.2024

4. Taking into consideration the above submissions, but without examining the merits of the matter, this writ petition is disposed of by directing the respondents/competent authority to consider and decide the cases of the petitioners in light of the aforesaid judgment and in accordance with law within four weeks from today. In case, the petitioners are found to be similarly situated then the benefit extended to the petitioners in the aforesaid judgment, shall also be extended to the petitioners in the instant cases as well. The decision so arrived at shall also be communicated to the petitioners. Pending application(s), if any, shall also stand disposed of

Jyotsna Rewal Dua
Judge

19th December, 2024 **(Rohit)**