IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.16076 of 2024

Decided on: 24th December 2024

Kamal Kishor and others ....Petitioners

Versus

State of H.P. & Ors. ...Respondents

Coram

The Hon'ble Mr. Justice Sushil Kukreja, Judge.

[1] *Whether approved for reporting?*

For the petitioners: Mr. Onkar Jairath and Mr. Anshul Jairath, Advocates.

For the respondents: Mr. L.N.Sharma, Additional Advocate General.

Sushil Kukreja, Judge *(Oral)*

Notice. Mr. L.N. Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.

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

> *"i. 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. the date when the Petitioners*

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

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. 30500/- 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 submitted that the issue involved and the relief prayed for by the petitioners has already been adjudicated ***Mohit Sharma and Anr. Vs. State of H.P. and others***[2]. Learned counsel for the petitioners states that the petitioners would be content if the case of the petitioners is considered by the respondents in light of the aforesaid judgment within a time bound schedule.

[2] CWP No. 1638 of 2024, decided on 29.11.2024.

Learned Additional Advocate General has no objection to this prayer.

4. Having regard to above submissions but without examining the merits of the matter, this petition is disposed of by directing the respondents to consider the case of the petitioners in light of the aforesaid judgment and pass appropriate orders in accordance with law within a period of four weeks from the date of receipt of copy of this order. The decision so arrived at, shall be communicated to the petitioners.

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

(Sushil Kukreja)
Judge

December 24, 2024
Pradeep