IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 16313 of 2024
Decided on : 27.12.2024

Shri Sunil Kumar and others.

…Petitioners

Versus

State of Himachal Pradesh and others.

…Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Whether approved for reporting?[1]

For the petitioners	**:**	**M/s M.A. Safee and Sameer Miyan, Advocates.**
For the respondents	**:**	**Mr. Pushpinder Jaswal, Additional Advocate General.**

Ajay Mohan Goel, Judge *(Oral)*

Issue notice. Mr. Pushpinder Jaswal, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. By way of this petition, the petitioners have, *inter alia,* prayed for the following reliefs:-

> *"i) That a writ in the nature of Mandamus may kindly be issued directing the Respondents to extend the benefit of Himachal Pradesh Civil Services (Revised*

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

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pay) Rules, 2022 after taking into account the services rendered by them on contract basis as having been appointed prior to 03.01.2022, in terms of Rule 7A, as incorporated vide Notification dated 06.09.2022, and he be granted the Higher Stage of Pay i.e. 30500/- from the date they have completed two years of regular service, as has been held by the Hon'ble High Court in Mohit Sharma and Sanjeev Vardhan Case (Supra) or in alternate they be treated to have been regularized prior to 03.01.2022 as they had already completed two years of Contractual Service in terms of Regularization Policy dated 28.12.2021, prior to 30.09.2021 and then they be granted, the benefit of Higher Stage of Pay on completion two years service.

ii) That the respondents be also directed to release the BD arrears of pay after fixing their pay @ Rs. 30500/- w.e.f. the date he had completed two years of regular service along with interest @ 9% p.a."

3. Learned counsel for the petitioners submits that the issue is squarely covered by the judgment of this Court in CWP No.1638 of 2024, titled as Mohit Sharma & another Vs. State of H.P. & others, decided on 29.11.2024. He further submits that representation has also been made by the petitioners in this

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regard and it would be in the interest of justice, in case, this petition is disposed of with the direction that let the representation of the petitioners be decided by the Competent Authority, in terms of the averments made in the representation as well as the judgment being relied upon by the petitioners.

4. Without expressing any opinion on the merit of the case, this petition is disposed of with the direction that let the representation made by the petitioners be decided by the Competent Authority, in terms of the averments made therein, taking into consideration the judgment being relied upon by the petitioners therein, by passing a speaking order, within a period of 12 weeks from today. Pending miscellaneous applications, if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

December 27, 2024
(Shivank Thakur)