IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.300 of 2025
Date of Decision: 28.02.2025

Shailja Rani **.....Petitioner**

Versus

State of Himachal Pradesh & Ors. **.....Respondents**

Coram
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?

For the Petitioner: Mr. Abhinav Purohit, Mr. Digvijay Singh Thakur, Mr. Saurabh Ahluwalia, Advocates.

For the respondents: Mr. Ravi Chauhan, Mr. Balvinder Singh, & Mr. Anish Banshtu, Deputy Advocate Generals.

Sandeep Sharma, J. *(Oral)*

By way of instant petition, petitioner has prayed for the following main reliefs:-

> *"(i) That the present Civil Writ Petition may very kindly be allowed and the respondents may be directed to regularize the service of the petitioner as Staff Nurse from the date petitioner was initially appointed on the said post on contractual basis in the month of July 2007, along with all the consequential and financial benefits.*
>
> *(ii) That the respondents may kindly be directed to further provide the benefit of the seniority from the date the petitioner was appointed as Staff Nurse alongwith all the consequential and financial benefits to the petitioner.*
>
> *(iii) That the respondent may kindly be directed to consider the case/representation (Annexure P-X) of the petitioner in terms*

of the law laid down by this Hon'ble Court in a time bound manner."

2. Before reply, if any, from the respondents could be received, learned counsel representing the petitioner, states that issue raised in the instant proceedings already stands adjudicated by Himachal Pradesh State Administrative Tribunal, Shimla, in TA No. 4478 of 2015 titled as ***Parvati Sharma & Ors. Vs. State of Himachal Pradesh & Anr.*** *d*ecided on 11.01.2018, which has been further upheld by Division Bench this Court in CWP No. 5764 of 2020 titled ***State of Himachal Pradesh & Anr. Vs. Parvati Sharma & Ors.*** decided on 06.01.2021 and as such, petitioner would be content and satisfied in case directions are issued to the respondents to consider and decide the representation ***(Annexure P-X)*** of the petitioner in light of aforesaid judgments in a time bound manner.

3. Having regard to the nature of prayer and order proposed to be passed in the instant petition, this Court sees no necessity to call for the reply from the respondents, who are otherwise represented by Mr. Ravi Chauhan, learned Deputy Advocate General. While accepting notice on behalf of the respondents, learned Deputy Advocate General, fairly states that representation ***(Annexure P-X)*** filed by the petitioner, if not already decided, shall be decided expeditiously.

4. Having perused averments contained in the petition, which are duly supported with an affidavit vis-a-vis judgment sought

to be relied upon, this Court finds that issue raised in the instant proceedings already stands adjudicated by Division Bench of this Court after passing judgment in ***Parvati*** (supra). Again Coordinate Bench of this Court in CWP No. 3038 of 2022 titled as ***Nisha Vs. State of Himachal Pradesh*** has dealt with the issue and as such, there appears to be no impediment in issuing direction to the respondents to consider and decide the representation ***(Annexure P-X)*** of the petitioner in light of aforesaid judgments in a time bound manner.

5. Consequently, in view of the above, the present petition is disposed of with a direction to the respondents to consider and decide the representation ***(Annexure P-X)*** of the petitioner in light of judgments, as detailed hereinabove, expeditiously, preferably within a period of six weeks. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of being heard to the petitioner and pass speaking order thereafter.

February 28, 2025 **(Sandeep Sharma),**
(sunil) **Judge**