IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 17018/2025
Decided on: 03.11.2025

Rohit Chauhan …Petitioner

Versus

State of H.P. & Ors. ….Respondents.

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Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioner: **Mr. C.N. Singh, Advocate.**

For the respondents: **Mr. Y.P.S. Dhaulta, Additional Advocate General.**

Jyotsna Rewal Dua, J

Notice. Mr. Y.P.S. Dhaulta, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. With the consent of learned counsel for the parties, this matter has been heard at this stage.

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

> *"i) Issue a writ of mandamus or other appropriate writ order or direction directing the respondents to continue with and regularize the contractual services of the petitioner on the post of Technical Facilitator in the Department of Horticulture (i.e. respondents No. 1 to 3) after completion of two years of contractual service i.e. w.e.f.*

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

> *28.09.2023 on the post of Facilitator in terms of Government Regularization policy with all consequential benefits.*
>
> *ii) Issue a writ of mandamus or other appropriate writ order or direction directing the respondents to condone the break in contractual service on the post of Technical Facilitator w.e.f. 31.10.2024 till his joining back, regularization towards continuity in service for all intents and purposes and re-fix the pay of the petitioner and pay the entire consequential benefits in favour of the petitioner with in time bound manner alongwith 12% interest.*
>
> *iii) Issue a writ of mandamus or other appropriate writ order or direction, by directing the respondents to pay the equal pay and perks to petitioner from the initial date of her appointment or after completion of two years of contractual service as paid to regular employees of the government department in terms of the law laid down by the Hon'ble Apex Court in India with all consequential benefits."*

3. Learned counsel for the petitioner submits that case of the petitioner, issue raised by petitioner and reliefs claimed herein have already been adjudicated in ***Nitin Thakur versus State of H.P and others***[2] which was disposed of with following operative directions: -

> *"89. Consequently, in view of the detailed discussion made herein above as well as law taken into consideration, present petitions are allowed and respondents are directed to regularize the contractual services of the petitioners on the post they were offered engagement in the Department of Horticulture after completion of two years contractual service in terms of regularization policy framed by the Government of Himachal Pradesh."*

[2] CWP No. 4971 of 2024, decided on 23.09.2025 a/w connected matters

Learned counsel further submits that petitioner would be satisfied in case respondents/Competent Authority is directed to consider the case of the petitioner in light of the aforesaid decision. Learned Additional Advocate General has no objection to the aforesaid prayer.

4. Having regard to 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 case of the petitioner in accordance with law as well as taking into consideration the above judgment in the case of Nitin Thakur[2], by passing appropriate order, within a period of six weeks from today. The order so passed be also communicated to the petitioner. Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

3rd November, 2025(rohit)