IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17192 of 2025

Decided on: 04.11.2025

Arti Rani **.....Petitioner**

Versus

State of H.P. and Anr **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioners: Mr. Ashwani K Sharma, Advocate.

For the Respondents: Mr. Rajat Chaudhary, Assistant Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Rajat Chaudhary, learned Assistant Advocate General, appears and waives service of notice on behalf of the respondents.

With the consent of learned counsel for the parties, the matter is heard at this stage.

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

> *"I. That the Office Order dated 19th April, 2017, issued by the Office of the Director of Higher Education be declared as illegal, arbitrary whereby, the legitimate*

---

[1]**Whether reporters of print and electronic media may be allowed to see the order? Yes.**

claim of the petitioner for regularization from initial date of appointment along with all consequential benefits in terms of the judgment passed by this Hon'ble Court in CWP No. 1811 of 2008, titled as Dev Raj & Others vs. State of H.P. & Others, has been rejected by misconstruing and mis-appreciating the ratio laid down in the said judgment and hence, be quashed and set aside.

II. Issue a Writ of Mandamus directing the respondent authorities to consider the lien and continuous cause of action of the petitioner from the year 2017, when she has first espoused her cause by filing Original Application No. 927 of 2017, instead from the date of filing of CWP No. 7097 of 2024 decided on dated 14.08.2024, and consequent thereto, grant all consequential service and monetary benefits in favour of petitioner from the date of her initial appointment in terms of applicable statutory rules, as her earlier claim was illegally rejected by the respondents vide (Annexure P-6)."

3. Petitioner had represented to the respondents seeking deemed regular appointment from the date of initial appointment on contract basis. This prayer was made on the analogy of decision rendered in ***Dev Raj Vs. State of H.P. and Others***[2]. Respondent No.2 rejected the aforesaid representation vide order dated 19.04.2017 primarily on the ground that in *Dev Raj*[2] , post had been advertised on regular basis, but appointments had been offered on contract basis, whereas in case of petitioner, the

[2] CWP No.1811 of 2008 decided alongwith connected matters on 14.11.2014

post had been advertised on contract basis and, therefore, petitioner was appointed on contract basis. Hence, it was concluded that there was no question of conferring deemed appointment on regular basis upon the petitioner from the date of her initial appointment on contract basis.

4. Petitioner now seeks quashing of the aforesaid order on the ground that the relief claimed by the petitioner has already been allowed by the respondents under office order dated 28.03.2025 (Annexure P-11) to similarly situated incumbents in view of law laid down in ***State of H.P. and others Vs. Ravinder Kumar***[3].

Learned counsel for the petitioner submitted that the petitioner would be satisfied in case respondent No.2 is directed to consider the case of the petitioner for the redressal of her grievances afresh in light of office order dated 28.03.2025 (Annexure P-11) and *Ravinder Kumar*[3] (Annexure P-7). Learned Assistant Advocate General has no objection to this prayer.

5. In view of above, notwithstanding order dated 19.04.2017, (Annexure P-6), this writ petition is disposed of with direction to the respondents /Competent Authority to consider and decide the case of the petitioner afresh in

---

[3] LPA No.21 of 2013, decided alongwith connected matters on 04.10.2019

light of office order dated 28.03.2025 (Annexure P-11) and ***Ravinder Kumar***[3] (Annexure P-7) in accordance with law within six weeks from today. The decision so arrived at, be also communicated to the petitioner.

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

Jyotsna Rewal Dua
Judge

November 4, 2025
R.Atal