(2026:HHC:14103)

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.13797 of 2025 a/w CWP Nos.13983,14071,14103,14181,15353,15626,15808,15809,17141,17147,18600,18601,18602,18605,18606,18613,18614,18616,18617,18694,18697,18700,18702,18711,18713,18714,18715,18716,18727,18735,18749,18768,18769,18771,18775,18825,18827,18934,18935,19042,19043,19258,19306,19307,19312,19319,19873,19874,19875,19977,19978,19986,19987,19988,20753,21114,21220of 2025 and CWP Nos.355, 397, 1385,1435,2097,3105,3138, 3279, 3280,4195,4648,5138,5391 of 2026
Decided on : 27.04.2026

---

1. CWP No.13797 of 2025

Anjana Kumari & Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

2. CWP No.13983 of 2025

Kanchan Kumari& Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

3. CWP No.14071 of 2025

Alzeria Rana & Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

4. CWP No.14103 of 2025

Poonam Thakur & Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

5. CWP No.14181 of 2025

Manju Devi & Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

6. CWP No.15353 of 2025

Veena Kumari. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

7. CWP No.15626 of 2025

Lalita Kumari& Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

8. CWP No.15808 of 2025

Anita Chauhan. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

9. CWP No.15809 of 2025

Shailja Rani. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

10. CWP No.17141 of 2025

Neetu Ghai. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

11. CWP No.17147 of 2025

Reeta Devi. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

12. CWP No.18600 of 2025

Anu Bala. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

13. CWP No.18601 of 2025

Priyanka. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

14. CWP No.18602 of 2025

Shaveta Devi. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

15. CWP No.18605 of 2025

Monika Kumari. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

16. CWP No.18606 of 2025

Poonam Thakur. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

17. CWP No.18613 of 2025

Jyoti Parkash. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

18. CWP No.18614 of 2025

Sonia Kumari. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

19. CWP No.18616 of 2025

Shashi Bala. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

20. CWP No.18617 of 2025

Madhu Mehta. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

21. CWP No.18694 of 2025

Mamta Rani. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

22. CWP No.18697 of 2025

Manu Sharma. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

23. CWP No.18700 of 2025

Anu Bala. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

24. CWP No.18702 of 2025

Sonia Bhatia. …Petitioner.

Versus

State of Himachal Pradesh &Ors. …Respondents.

25. CWP No.18711 of 2025

Kusum Lata. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

26. CWP No.18713 of 2025

Harsh Bala. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

27. CWP No.18714 of 2025

Prem Lata. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

28. CWP No.18715 of 2025

Priyanka Sharma. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

29. CWP No.18716 of 2025

Vaishali Sareen. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

30. CWP No.18727 of 2025

Komal Thapa. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

31. CWP No.18735 of 2025

Poonam Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

32. CWP No.18749 of 2025

Sanjay Bala. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

33. CWP No.18768 of 2025

Anu Bala. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

34. CWP No.18769 of 2025

Bhawna Uppal. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

35. CWP No.18771 of 2025

Jyotsna. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

36. CWP No.18775 of 2025

Anita Sharma. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

37. CWP No.18825 of 2025

Sudesh Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

38. CWP No.18827 of 2025

Rekha Bhardwaj. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

39. CWP No.18934 of 2025

Anupama Sharma. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

40. CWP No.18935 of 2025

Chitter Rekha. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

41. CWP No.19042 of 2025

Punita Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

42. CWP No.19043 of 2025

Anju. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

43. CWP No.19258 of 2025

Seema Sharma & Ors. …Petitioners.

Versus

State of Himachal Pradesh &Anr. …Respondents.

44. CWP No.19306 of 2025

Anju Bala. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

45. CWP No.19307 of 2025

Pushpa Devi. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

46. CWP No.19312 of 2025

Pooja Rani. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

47. CWP No.19319 of 2025

Mamta Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

48. CWP No.19873 of 2025

Swati Arora. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

49. CWP No.19874 of 2025

Sheetal Kashyap. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

50. CWP No.19875 of 2025

Arvind Chand. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

51. CWP No.19977 of 2025

Poonam. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

52. CWP No.19978 of 2025

Tanuja Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

53. CWP No.19986 of 2025

Indu Gupta. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

54. CWP No.19987 of 2025

Shital Sharma. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

55. CWP No.19988 of 2025

Reena Kumari. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

56. CWP No.20753 of 2025

Deepika Dhada& Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

57. CWP No.21114 of 2025

Sushma Devi. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

58. CWP No.21220 of 2025

Harsh Lata. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

59. CWP No.355 of 2026

Pooja Rani. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

60. CWP No.397 of 2026

Aruna Devi & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

61. CWP No.1385 of 2026

Archana Gupta &Anr. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

62. CWP No.1435 of 2026

Ravinder Kaur &Anr. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

63. CWP No.2097 of 2026

Archana Kumari &Anr. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

64. CWP No.3105 of 2026

Neha Gupta& Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

65. CWP No.3138 of 2026

Neelam Sharma. …Petitioner.

Versus

State of Himachal Pradesh & Ors. …Respondents.

66. CWP No.3279 of 2026

Kavita Kumari & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

67. CWP No.3280 of 2026

Asha Devi & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

68. CWP No.4195 of 2026

Madhu Bala &Anr. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

69. CWP No.4648 of 2026

Rajni & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

70. CWP No.5138 of 2026

Reena Kumari & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

71. CWP No.5391 of 2026

Reena & Ors. …Petitioners.

Versus

State of Himachal Pradesh & Ors. …Respondents.

Coram

Hon'ble Mr. Justice Vivek Singh Thakur, Judge.
Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?[1]

For the petitioners : Mr. Vishwa Bhushan, Advocate, Mr. Naresh K. Verma, Advocate, Mr. Abhinav Purohit, Mr. Saurabh Ahluwalia, Mr. Digvijay Singh Thakur and Ms. Ankita, Advocates, for respective petitioner(s), in respective petitions.

.

For the respondent(s) : Mr.Anup Rattan, Advocate General with Mr. Sushant Keprate, Additional Advocate General.

Vivek Singh Thakur, Judge

Admittedly, main issue involved in present petition with respect to validity, legality and constitutionality of Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024 (Act No. 23 of 2025) (in short 'Govt. Employees Act'/the Act/the impugned Act) has been adjudicated and decided vide judgment dated 25.04.2026 passed in CWP No.3361 of 2025 titled as Devinder Kumar & others vs State of H.P and others connected matters, wherein, it

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

has been observed as under:-

> "2. In all these petitions, the petitioners are mainly aggrieved by the enactment of the Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024 (Act No. 23 of 2025) (in short 'Govt. Employees Act'/the Act/the impugned Act).
>
> 3. In this common judgment, we are adjudicating only the constitutionality, validity, and legality of the Govt. Employee Act. For other reliefs, the consequences shall follow accordingly, and in case any further relief(s) is/are required to be determined after adjudication of additional facts, not discussed or adjudicated or covered in this judgment, the petitioners shall be at liberty to avail appropriate remedies, including the filing of fresh petitions for redressal of grievance based on such other issues raised or not raised in these petitions.
>
> ....
>
> 202. Accordingly, in view of above discussion and considering the ratio of law laid down by the Apex Court, the impugned Act is quashed and set aside.
>
> 203. In view of quashing of the impugned Act, all consequential action, omission and commission of the respondents-State and its functionaries, based on the impugned Act, are declared illegal, unconstitutional and nullify, and resultantly orders/rejection/directions, withdrawal, denying benefits or proposing recovery of already granted reliefs, based on the impugned Act, in conflict with the mandate of the Court are also quashed and set aside and competent authority(ies) is directed to ensure extension of benefits to the employees in terms of judgments passed by the competent Courts, latest by three months from today by issuing appropriate orders, if so required, in consonance with the Constitutional mandate and verdict of the Court(s)."

2. Finding returned in CWP No.3361 of 2025 title Devinder Kumar & others vs State of HP and others shall be applicable mutatis mutandis to present matters to all intends and purposes.

3. Consequently, impugned office order(s) rejecting the claim/prayer of the petitioners in view of Government Employees Act

also stand quashed and set aside with direction to the competent Authority to decide the same afresh by taking into consideration the following settled law:-

1. Where there is adjudication and verdict of the Court in favour of employee(s) or category of employees, benefits to such employee(s) shall be governed and extended in terms of such mandate of the Court notwithstanding anything else.

2. Where there is no specific mandate of Court, such category of employees, appointed on contract in terms of Policy for appointment on contract, but without following the procedure prescribed in Recruitment and Promotion Rules or akin to such provided for regular appointments, followed by regular appointment without interruption, regularization, shall be entitled for counting of contract period of service as qualified service for pensionary/retiral benefits in addition to period of regular service in terms of Rule 17 of CCS (Pension) Rules as well as for mandate of the Courts, and consequently shall be entitled for taking into consideration annual increments for contract period of service by adding the same on notional basis for the purpose of calculation of last pay drawn for determining pension/retiral benefits but not for arrears on account of increment during contract period of service, and such contract period shall not be counted for determining the seniority.

3. Employees initially appointed on contract basis by following procedure prescribed in Recruitment and

Promotion Rules/Service Rules framed under Article 309 of the Constitution, after subjecting to rigors of such process as applicable for regular appointments including prescribed essential eligibility, with wide publicity inviting all eligible persons to participate in open competition, similar to competition to be adopted for regular appointments**,** OR any other prescribed mode of recruitment in terms of/following procedure prescribed in Recruitment and Promotion Rules for recruitment including batch-wise etc., on regularization, shall be entitled for all consequential benefits like counting of contract period of service as qualifying service and financial benefits including increments as well as seniority from the date of their initial appointment.

4. Being a recurring cause of action with respect to claim of pensionary and retiral benefits, but for delay in putting forth claim with Authority or in the Court, financial benefits may be restricted to 3 years prior to putting forth such claim or may be awarded prospectively by taking into consideration the facts and circumstances of each individual case. However, where there is verdict of the Court to extend such benefits without any restriction, the State or its Officers are not empowered to curtail the same without expressed order of the competent Court.

Accordingly, aforesaid observations and directions, these petitions are also disposed of in terms of CWP No. 3361 of 2025 with liberty to the parties to avail appropriate remedy with respect to surviving grievance, if any, regarding issue raised or not raised in

these petitions including filing of fresh petition(s).

Pending miscellaneous application(s), if any, also stand disposed of in same terms.

(Vivek Singh Thakur),
Judge.

27th April, 2025
(meera)

(Ranjan Sharma),
Judge.