IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.

CMP(M) No. 323 of 2026 a/w CMP(M) Nos. 428, 431, 433, 434 & 439 of 2026

Date of decision: 24.04.2026

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1. CMP(M) No. 323 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

Sushma Sharma & Ors. ...Respondents

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2. CMP(M) No. 428 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

Dinesh Kumar & Ors. ...Respondents

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3. CMP(M) No. 431 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

Ram Singh & Ors. ...Respondents

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4. CMP(M) No. 433 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

Prakash Chand & Ors. ...Respondents

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5. CMP(M) No. 434 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

Daleep Kumar & Ors. ...Respondents

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6. CMP(M) No. 439 of 2026

Municipal Corporation, Shimla ...Appellant

Versus

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Sunita Sharma & Ors. ...Respondents

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The Hon'ble Mr. Justice G. S. Sandhawalia, Chief Justice.

The Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge.

Whether approved for reporting?

For the Appellant: Mr. Mukul Sood, Advocate, for the appellant, in all the appeals.

G. S. Sandhawalia, Chief Justice (Oral)

The present set of appeals filed by the appellant(s) are directed against the judgments passed by the learned Single Judge in ***CWP No. 9764 of 2024***, titled as ***Sushma Sharma vs. State of H.P. & Ors.,*** dated 10.09.2024, *CWP No.* ***9866 of 2024***, titled as ***Dinesh Kumar vs. State of H.P. & Ors.***, dated 12.09.2024, ***CWP No. 9862 of 2024***, titled as ***Ram Singh vs. State of H.P. & Ors***., dated 12.09.2024, ***CWP No. 9107 of 2024***, titled as ***Prakash Chand vs. State of H.P. & Ors.***, dated 04.09.2024, ***CWP No. 9868 of 2024***, titled as ***Daleep Kumar vs. State of H.P. & Ors.***, dated 12.09.2024 and ***CWP No. 9106 of 2024***, titled as ***Sunita Sharma vs. State of H.P. & Ors.***, dated 04.09.2024.

2. The present set of appeals are barred by the period, which are given below:-

Sr. No.	**CMP(M) Nos.**	**Delay**
1	CMP(M) No. 323 of 2026	1 Year 153 days
2	CMP(M) No. 428 of 2026	1 Year 150 days
3	CMP(M) No. 431 of 2026	1 Year 150 days

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4	CMP(M) No. 433 of 2026	1 Year 158 days
5	CMP(M) No. 434 of 2026	1 Year 15 days
6	CMP(M) No. 439 of 2026	1 Year 158 days.

3. The delay in filing the above said appeals are ranging from 1 year 150 days to 1 years 158 days.

4. Though various justifications have been given in the applications for condonation of delay pointing out that the files were moving between various departments from the date of decision. However, we find that there are various long gaps as such which would go on to show that the appeal(s) were eventually filed on 09.02.2026 and 10.02.2026.

5. The reference can be made to the delay as such that the matter was referred to the Administrative Department on 23.09.2024. The Administrative Department sought some information from the Directorate of Urban Development on 03.10.2024. On the basis of information furnished, the matter was again examined by the Administrative Department and thereafter referred to the Finance Department on 17.01.2025 for advice and the same was received on 04.02.2025, which was conveyed to Directorate of Urban Development on 17.02.2025. Thereafter the matter was re-referred by the Directorate of Urban Development to the Administrative Department on 22.05.2025. The matter was thereafter referred by the Administrative Department to the Finance Department on

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16.06.2025 and thereafter received by the Administrative Department on 05.07.2025. The matter was then thereafter referred back to the Finance Department (Pension) on 17.07.2025 for reconsideration and the advice of the Finance Department, the advice was received back on 06.08.2025 and the opinion of the Law Department was taken on 25.08.2025. The matter was examined by the Law Department and opinion was received back in the Administrative Department on 18.10.2025. The Directorate of Urban Development given directions only on 17.11.2025 for filing LPAs and eventually, as noticed, LPAs were filed on 09.02.2026 and 10.02.2026.

6. The perusal of the directions issued would also go on to show that consideration has been ordered to decide the cases of the petitioner(s) in view of the earlier order passed in ***CWPOA No. 195 of 2019***, titled as ***Sheela Devi vs. State of H.P. & Ors.***, decided on 26.12.2019, since the relief has been sought for counting the contractual period for the purposes of qualifying service for the grant of pension since the regularization was ordered after almost 10 years.

7. Counsel for the appellant(s) pointed out that similar application was also dismissed by the Coordinate Bench in ***CMP(M) No. 229 of 2026***, titled as ***Municipal Corporation, Shimla vs. Shanti Swaroop***, dated 02.04.2026 by noting the

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same facts and mere moving of files from one department to another would not constitute sufficient cause.

8. In such circumstances, we are not inclined to take a different view and accordingly the applications for condonation of delay are dismissed, and resultantly the appeals also meet with the same fate.

(G. S. Sandhawalia)
Chief Justice

(Jiya Lal Bhardwaj)
Judge

24th April, 2026(sanjeev)