IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No. 6041 of 2026
Decided on : 27.04.2026

Saroj Kumar

…Petitioner

Versus

State of Himachal Pradesh and others

…Respondents

Coram
Hon'ble Mr. Justice Ajay Mohan Goel, Judge
Whether approved for reporting?[1] Yes

For the petitioner	**:**	**Mr. Sanjay Kumar Sharma, Advocate.**
For the respondents	**:**	**Mr. Pushpinder Jaswal, Additional Advocate General, for respondents No.1 to 3.**

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioner has, *inter alia,* prayed for the following reliefs:-

> *"(i) That the respondent department may kindly be directed policy at Government Senior secondary School Khudi-Khahan Tehsil Sarkaghat District Mandi H.P. against the post of Lecturer of History or any other nearest schools such post is lying vacant within a time*

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

bound period with all consequential benefits in the interest of justice and fair play.

(ii) That the respondent state may kindly be directed to re-engage the petitioners to the place of their original posting or in any other school w.e.f. the date of the termination. The directions may kindly be passed to take the services of the petitioners under government contract and regularize the services of the petitioners as per policy applicable along with all the consequential reliefs."

2. Learned counsel for the petitioner submitted that in the present case, the petitioner was appointed as a Lecturer (History) in Government Senior Secondary School, Khudi Kahan, Tehsil Sarkaghat, District Mandi, H.P., on 21.05.2007 on P.T.A basis. Her services were terminated on 25.03.2009. On 24.05.2014, a notification was issued by the Department concerned, in terms whereof, all those P.T.A Teachers who were engaged in between the year 2006 and 2008 under the Grant-in-Aid P.T.A Policy, 2006, were to be reinstated if their disengagement was on account of the joining of regular incumbents. The petitioner preferred an appeal in terms of this notification before the Inquiry Committee and as per order

dated 28.09.2015 (Annexure P-3), her appeal was accepted and a copy of the order was sent to GSSS Khudi Kahan, Tehsil Sarkaghat, District Mandi, H.P., with direction to reengage the applicant as a P.T.A Teacher. Her grievance is that till date this order has not been complied with.

3. Learned counsel for the petitioner submitted that a mandamus be issued to the Authorities to reengage the petitioner in terms of Annexure P-3. No other point was urged.

4. Learned Additional Advocate General has taken a preliminary objection with regard to the maintainability of the petition on the ground of gross delays and laches.

5. In rebuttal, learned counsel for the petitioner referred to the representations appended with the petition.

6. Having heard learned counsel for the petitioner as also learned Additional Advocate General and having carefully gone through the averments made in the writ petition as well as documents appended therewith, this Court concurs with the submission of learned Additional Advocate General that the present petition is hit by gross delays and laches.

7. The order passed by the Appellate Authority in

favour of the petitioner is dated 28.09.2015. In terms of the representations, which have been appended by the petitioner along-with the writ petition, it transpires that the petitioner firstly made a representation to the Authorities on 20.02.2016, then again after a gap of three years on 27.03.2019, then again after a gap of four years on 16.04.2023 and now immediately preceding the filing of the petition on 20.02.2026.

8. This Court is of the considered view that the petitioner should have approached the appropriate Fora for the implementation of Annexure P-3, either immediately after the passing of the said order or within some reasonable time. Approaching the High Court after, a decade for the implementation of the order, cannot be said to be reasonable time. The representations appended with the petition, itself are demonstrative of the fact that the petitioner was not diligently pursuing her cause with the Authorities and it was once in 3-4 years that she was filing representations to the Authorities.

9. In fact, the representations appended with the petition, do not even have any endorsement of the Authorities or the office concerned qua the receipt thereof and, therefore, it

becomes highly debatable as to whether these representations were filed or not. Even by assuming that the said representations were filed, as observed hereinabove, there is indeed a gross delay on the part of the petitioner in approaching the Court of more than 10 years as from the date when the cause of action accrued.

10. In view of the above discussion, as this petition is hit by delays and laches, the same is dismissed. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

April 27, 2026
(Shivank Thakur)