IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

LPA No.529 of 2026 a/w LPA No.246, 530 and 531 of 2026

Date of Decision : 19.11.2026

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1. LPA No.529 of 2026

The State of Himachal Pradesh and others

…… Appellants

vs.

Suman Devi

…… Respondent

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2. LPA No.246 of 2026

The State of Himachal Pradesh and others

…… Appellants

vs.

Reena Rai

…… Respondent

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3. LPA No.530 of 2026

The State of Himachal Pradesh and others

…… Appellants

vs.

Sandhya Devi

…… Respondent

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4. LPA No.531 of 2026

The State of Himachal Pradesh and others

…… Appellants

vs.

Suman Devi

…… Respondent

Coram:

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

The Hon'ble Mr. Justice Bipin Chander Negi, Judge

Whether approved for reporting?[1]

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[1] **Whether reporters of Local Papers may be allowed to see the judgment?**

For the appellants : Mr. Gobind Korla, Additional Advocate General.

For the respondents Mr. Anirudh Sharma, Advocate.

G.S. Sandhawalia, Chief Justice (oral)

By way of present set of appeals, appellants seek consideration of the various orders passed by the learned Single Judge, the first one being in ***CWP No. 1636 of 2025***, titled ***Suman Devi vs. State of H.P. and others***, filed by Suman Devi, decided on 10.03.2025, whereby the State has been directed to consider the representation so preferred by the petitioner and decide the same within a specified period.

2. The learned Single Judge has also placed reliance upon an earlier judgment passed in ***Civil Writ Petition (Original Application) [CWPOA] No. 5536 of 2020***, titled ***Sanjay Kumar vs. State of Himachal Pradesh and others***, dated 01.11.2023, to direct consideration.

3. Resultantly, Counsel for the State has tried to hold out that since the judgment in ***Sanjay Kumar's case*** (supra) is pending consideration in Special Leave to Appeal (C) Nos. 27726–27729/2024, and there is an interim order, and vide order dated 16.04.2026, it has been ordered that the interim order shall continue till the next date of hearing, the directions passed by the learned Single Judge, as such, are not liable to be acted upon.

4. Counsel for the respondents, on the other hand, submits that only the contempt proceedings, as such, were directed to be stayed in ***Sanjay Kumar's case*** (supra) vide order dated 02.12.2025, and therefore, the stay is only peculiar to the said case of Sanjay Kumar, which cannot be extended in view of the interim order passed by the Apex Court.

5. In such circumstances, we are of the considered opinion that the appeals, as such, are liable to be dismissed, as only directions have been given to consider and decide the same by the competent authority, and no effective cause of action, as such, arises to the State, who are only yet to take a call on the said directions. It is for the competent authority of the present appellants-State to consider each and individual case on its peculiar facts and circumstances, as to whether, it is covered by ***Sanjay Kumar's case*** (supra) or not, and whether the benefits are to be granted in the absence of any such order having been passed.

6. The writ petitions have not been allowed on merits by the learned Single Judge, and in the absence of any specific positive directions having been issued, we are not in a position to appreciate whether the directions issued, as such, suffer from any infirmity, which would warrant interference in these appeals, at this stage. Needless to say, it is for the State to take a call on the said representations and

decide the same in accordance with law, keeping in view the factual matrix.

7. Therefore, we are of the considered opinion that the present appeals, as such, emanating out of orders passed whereby only directions have been issued for consideration and deciding the representations, are not maintainable. Resultantly, we dismiss the present appeals, giving liberty to the State to pass orders, in accordance with law.

8. The pending miscellaneous application(s), if any, shall also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
November 19, 2026 **(KS)** **Judge**