IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.17292 of 2026 alongwith
CWP No.17293 of 2026

Decided on: 5th October, 2026

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1. CWP No.17292 of 2026

Manoj Kumar **.....Petitioner**

Versus

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

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2. CWP No.17293 of 2026

Sunita Devi **.....Petitioner**

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioners: Mr. Pankaj Sawant, Advocate.

For the Respondents: Mr. Anup Rattan, Advocate General with Ms. Menka Raj Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Ms. Menka Raj Chauhan, learned Deputy Advocate General, appears and waives service of notice on behalf of the respondents.

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

2. Petitioners were appointed on compassionate grounds on daily wage/contract basis. They preferred representations to confer appointment upon them as regular employees from the dates of their respective initial appointments alongwith all consequential service benefits. Claim was made on the strength of the decision rendered in ***Vikas Kumar Versus State of Himachal Pradesh & others***[2]. The respondents have turned down their representations under separate speaking orders (Annexure P-7 in both the writ petitions).

3. Learned Deputy Advocate General pointed out that aforesaid decision has been stayed by the Hon'ble Principal Division Bench vide order dated 01.07.2026 passed in *CWP No.15796 of 2025 (Aslam Mohammad vs. State of H.P. and others)* alongwith connected matters including *LPA No.194 of 2026 (State of H.P. and another vs. Vikas Kumar).*

4. Learned counsel for the petitioners submitted that the petitioners would be content in case petitioners are permitted to file fresh representation(s) seeking applicability *Vikas Kumar*[2] in their cases after adjudication of *LPA*

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[2] CWP No.8032 of 2021, decided alongwith connected matters on 23.06.2025

No.194 of 2026. Learned Deputy Advocate General is not averse to this prayer.

5. In view of above and notwithstanding impugned orders (Annexure P-7), these writ petitions are disposed of with direction to the respondents/competent authority to consider and decide the representation(s) of the petitioners in accordance with law by passing a speaking order within six weeks after adjudication of *LPA No.194 of 2026* and in terms thereof.

The writ petitions stand disposed of in the above terms, so also the pending miscellaneous application(s), if any.

Jyotsna Rewal Dua
Judge

October 05, 2026
Mukesh