IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 18898/2026
Decided on: 27.10.2026

Sanjay Kumar & Anr. **…..Petitioners**

Versus

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

Coram
Ms. Justice Jyotsna Rewal Dua
Whether approved for reporting?[1]

For the Petitioners: Mr. Rajender Singh Thakur, Advocate.

For the Respondents: Ms. Menka Raj Chauhan, Deputy Advocate General.

Jyotsna Rewal Dua, Judge

Considering the grievance of the petitioners, submissions made by learned counsel for the parties, documents appended with the writ petition and the nature of order being passed hereinafter, there is no necessity to call for the reply from the respondents. The matter has accordingly been heard.

2. Petitioners seek applicability of ***Nitin Kumar vs State of Himachal Pradesh***[2], and ***Umesh Jaswal vs State of H.P. and others***[3], for the purpose of treating their as having been appointed on regular basis from the date of their initial

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[1] **Whether reporters of print and electronic media may be allowed to see the order? Yes.**
[2] CWPOA No. 1077 of 2019, decided on 22.08.2022
[3] CWP No. 5090 of 2022, decided along with connected matters on 19.12.2022,

appointment on contract basis. The said claim has been turned down by the respondents vide order dated 06.11.2025 (Annexure P-8). The reliefs have been declined to the petitioners primarily on the ground of the *Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024*. It is a matter of record that the said Act was quashed in ***Devinder Kumar & Ors. Vs. State of Himachal Pradesh & Anr***[4]***.*** The appeal preferred against the said decision in ***State of Himachal Pradesh & Anr. Vs. Devinder Kumar & Ors.***[5] was dismissed on 29.07.2026.

3. Learned counsel for the petitioners submits that the issue has been adjudicated in ***Veena Devi versus State of HP and others***[6], wherein the petitioners, who had been appointed on contract basis against a post meant for Person with Disability, was held entitled to be treated as having been regularly appointed from the date of their initial appointment on contract basis.

4. Taking note of above submissions, the impugned order dated 06.11.2025 (Annexure P-8) is quashed and set aside. The respondents are directed to consider the cases of the petitioners afresh, keeping in view *Nitin Kumar*[2,] *Umesh Jaswal*[3] and Veena Devi[6]. Fresh exercise be carried out within four weeks. The order so passed be also communicated to the petitioners.

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[4] CWP No. 3361 of 2025 decided alonwith connected matters on 25.04.2026
[5] Special Leave to Appeal (C) No(s). 24885/2026 decided on 29.07.2026
[6] CWP No. 8377/2026, decided on 13.10.2026

The instant writ petition to stand disposed of in above terms. Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

27th October, 2026
rohit