IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 18736/2026
Decided on: 27.10.2026

Sapna Devi **…..Petitioner**

Versus

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

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

For the Petitioner: Mr. Piyush Chandel, Advocate.

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

Jyotsna Rewal Dua, Judge

Considering the grievance of the petitioner, 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 for the respondents. The matter has accordingly been heard.

2. Petitioner seeks 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 her as having been appointed on regular basis from the date of her initial appointment on

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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,

contract basis. The said claim has been turned down by the respondents vide order dated 02.05.2026 (Annexure P-9). The reliefs have been declined to the petitioner primarily on the ground that Nitin Kumar's[2] case is confined only to such cases where appointments on contract basis were not in conformity with the provisions of the relevant R&P Rules. In cases where the R&P Rules permitted contract appointments, the benefit of the said judgment is not automatically applicable.

3. Learned counsel for the petitioner submits that the issue has been adjudicated in ***Veena Devi versus State of HP and others***[4], wherein the petitioner, 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 her initial appointment on contract basis.

4. Taking note of above submissions, the impugned order dated 02.05.2026 (Annexure P-9) is quashed and set aside. The respondents are directed to consider the case of the petitioner 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 petitioner.

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[4] 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
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