IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.15610 of 2026
Decided on: 05.11.2026

Renu Bala ....Petitioner

Versus

Union of India & Ors . ...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

[1] *Whether approved for reporting?*

For the petitioner: Dr. Lalit K Sharma, Advocate.

For the respondents: Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajiv Sharma, Advocate.

Jyotsna Rewal Dua, Judge

This writ petition has been filed for grant of following substantive reliefs:-

> *"i. That the impugned employment notice dated 26.08.2026 Annexure P5 whereby the respondents are going to fill up the post of Female Attendant at ECH Polyclinic Shimla which is already occupied by the petitioner since 13.10.2025 till date by another set of contractual appointee may kindly be set aside and quashed.*
>
> *(ii) That respondents may kindly be directed to permit the petitioner to discharge her duty as Female Attendant*

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

at ECHS Polyclinic Shimla till the age of superannuation of 58 years or till the disposal of the SLP(c) 36359/2016 titled Sonu Kumar vs. UOI and other which is pending adjudication before the Hon'ble Apex Court.

(iii) That the impugned Annexure P5 qua the post of Female Attendant at ECHS Polyclinic Shimla being contrary to judgment dated 15.05.2024 passed by this Hon'ble Court in CWP 3260/2016 and connected matters may kindly be set aside and quashed."

2. The gist of petitioner's case and the issues involved were noticed in the following order passed on 08.09.2026, whereby interim relief was granted to the petitioner:-

"Notice. Mr. Balram Sharma, learned Deputy Solicitor General of India, appears and waives service of notice on behalf of the respondents.

2. Petitioner is presently serving as Female Attendant at ECHS Polyclinic Shimla, H.P., where she had joined on 13.10.2025. Her grievance is to Annexure P-5, whereby the respondents have issued employment notice for filling up certain posts at ECHS Polyclinics Shimla, H.P. on contract basis for a period of one year/renewable for further period of one year. Post of Female Attendant held by the petitioner is also part of aforesaid employment notice.

3. Learned counsel for the parties submit that similar issue, as is involved in the instant petition, is pending before the Hon'ble Apex Court in SLP(C) No.36359 of 2016; That various similar matters have been disposed of by this Court by directing that such petitions would abide by the decision of SLP(C) No.36359 of 2016; That in most of such matters, there is interim protection in favour of the similarly situated petitioners.

> *4. In view of above, respondents shall maintain status quo qua the petitioner and the respondents shall not proceed ahead in filling up the post held by the petitioner under employment notice Annexure P-5, till further orders. Reply, as prayed for, be filed within three weeks.*
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> *List on 07.10.2026."*

3. Facts pleaded by the petitioner have not been disputed. It is an admitted position that petitioner was manning the post in question on contractual basis, when the said post was advertised by the respondents afresh to be filled up again on contractual basis. Respondents have also not disputed that the issue involved in the instant petition, is pending before the Hon'ble Apex Court in Special Leave Petition(C) No. 36359/2016 (***Sonu Kumar Vs UOI),*** wherein interim protection has been granted in favour of the petitioner therein, who was similarly situated to the present petitioner.

4. In view of above, this writ petition is disposed of with direction that petitioner's continuation on the post in question shall abide by the result of the aforesaid Special Leave Petition.

Pending miscellaneous application(s), if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

November 05, 2026
R.Atal