**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CWP No. 20836 of 2026 and connected matters**
**Decided on: 23.11.2026**

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**1. CWP No.20836 of 2026**

Dr. Priyanka **.....Petitioner**

**Versus**

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

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**2. CWP No.20837 of 2026**

Dr. Manisha Datta **.....Petitioner**

**Versus**

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

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**3. CWP No.20838 of 2026**

Dr. Gaurav Thakur **.....Petitioner**

**Versus**

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

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**4. CWP No.20839 of 2026**

Dr. Suryadeep Kaushik **.....Petitioner**

**Versus**

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

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**5. CWP No.20840 of 2026**

Dr. Manu Rashni Sharma **.....Petitioner**

**Versus**

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

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**6. CWP No.20841 of 2026**

Dr. Divya Jaggi **.....Petitioner**

**Versus**

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

**7. CWP No.20842 of 2026**

Dr. Monika jassal **.....Petitioner**

**Versus**

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

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**8. CWP No.20865 of 2026**

Dr. Venus Chandel **.....Petitioner**

**Versus**

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

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**Coram**

**Ms. Justice Jyotsna Rewal Dua**

**Whether approved for reporting?**[1]

For the Petitioners: Mr. Devender Kumar, Advocate.

For the Respondents: Mr. L.N.Sharma, Additional Advocate General.

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**Jyotsna Rewal Dua, Judge**

Notice. Mr. L.N. Sharma, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents in all the writ petitions.

**2.** Petitioners are serving in the cadre of Medical Officer (Dental) Class-I Gazetted in the respondent Health and Family Welfare Department. The case set up by them is that:-

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

**2(i)** The post of Medical Officer (Dental) Class-I Gazetted is governed by duly notified Recruitment and Promotion Rules (R&P Rules). As per applicable R&P Rules, the total sanctioned vacancies are to be filled up through two distinct channels. 50% of the posts are to be filled up by direct recruitment on regular or contractual basis through Himachal Pradesh Public Service Commission and remaining 50% are to be filled up by direct recruitment on batch-wise basis. In both cases minimum eligibility requirement is identical. Pay scale, service conditions, duties, responsibilities, and the cadre applicable to the officers recruited through either mode are one and the same.

**2(ii)** The dual mode of recruitment prescribed under R&P Rules is merely a procedural mechanism for filling up vacancies and does not in any manner create two different classes or categories of Medical Officers (Dental) with different service entitlements. Both groups, those recruited through HP Public Service Commission and those recruited through batch-wise, belong to same uniform cadre and are borne on same establishment, entitled to same service benefits.

**2(iii)** Petitioners' grievance is to the alleged inaction of the respondents in refusing to extend to them benefit of four-tier pay structure or pay progression benefit, which according to them has already been granted to their counterparts, who were recruited in the same batch, that is batch 2017, through batch-wise mode of recruitment, but denied to the petitioners. According to the petitioners, the respondent-Health Department through Himachal Pradesh Public Service Commission had issued an advertisement on 12.07.2017 notifying 26 posts of Medical Officer (Dental) to be filled up by direct recruitment. The petitioners participated in the selection process under this advertisement. While the batch-wise recruitment was completed and appointments were made by September 2017, the recruitment process undertaken by the H.P. Public Service Commission was beset with considerable administrative delay that was beyond the control of the petitioners. In view of the delay, petitioners were eventually appointed as Medical Officer (Dental) on contractual basis on 21.04.2018. Their services were regularized on 09.11.2021 in the pay band of Rs. 15,600 - 39,100 with grade pay of Rs. 5,400/- plus practicing allowance.

**2(iv)** According to the petitioners, the higher pay scale upon completion of prescribed years of service, that is 4-9-14, under the Assured Career Progression Scheme was granted to their counterparts, recruited under batch-wise selection process, but denied to the petitioners on the ground that in terms of notification dated 03.01.2022, the Himachal Pradesh Civil Services (Revised Pay) Rules, 2022 would take precedence over the pre-revised pay Rules, therefore, the benefit of Assured Career Progression Scheme cannot be granted to the petitioners. Petitioners seek parity vis-à-vis their counterparts who stand granted these benefits on account of their earlier dates of appointments.

Learned counsel for the petitioners submits that the petitioners have preferred representations (Annexure P-7) to the respondents seeking redressal of their grievances, however,the same have not been decided till date.

**3.** Having regard to the afore-submissions, but without examining the merits of the matters, these writ petitions are disposed of with a direction to the respondents/competent authority to consider and decide the aforesaid representations of the petitioners in accordance with law, within a period of six weeks from

today. The decision so arrived at shall also be communicated to the petitioners.

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

Jyotsna Rewal Dua
Judge

November 23, 2026
*R.Atal*