IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19791 of 2026

Decided on: 4th November, 2026

Dalbir Singh **.....Petitioner**

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioner: Mr. Bhim Raj Sharma, Advocate vice Mr. Pawanish K. Shukla, Advocate.

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

Jyotsna Rewal Dua, Judge

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

Considering the grievance of the petitioner, the order impugned herein, the reliefs claimed, the decision relied upon by the petitioner and the order being passed hereinafter, there is no necessity to call for reply from the respondents. Matter has accordingly been heard at this stage.

---

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

2. Petitioner instituted CWP No.491 of 2026 seeking applicability of ***Sunita Sangroli Vs. State of Himachal Pradesh & Anr.***[2]. The writ petition was disposed of on 07.01.2026 with directions to the respondents to consider the case of the petitioner in light of the aforesaid decision within the stipulated period. Pursuant to the orders passed in *Execution Petition No.725 of 2026,* instituted by the petitioner seeking enforcement of the judgment dated 07.01.2026 passed in CWP No.491 of 2026, respondent No.2 passed a consideration order on 12.06.2026 (Annexure P-4), holding that the petitioner shall be entitled only to the benefit of prospective regularization without any financial benefits. Petitioner feels aggrieved against withholding of financial benefits on account of earned leave for the retrospective period of his regularization and therefore, has instituted the instant writ petition.

3. Learned counsel for the petitioner submits that the issue is now squarely covered by the decision rendered in ***Anita Kumari versus State of H.P. & Ors.***[3], wherein following directions were issued:-

---

[2] CWP No.5043 of 2022, decided on 08.08.2023
[3] CWP No.8382 of 2025, decided on 15.07.2025

> *"5. In view of above discussion, the impugned office circular/letter dated 17.12.2024 (Annexure P-6) and office order dated 11.07.2025 are quashed and set aside. Petitioner is held entitled to financial benefits in lieu of earned leaves falling to her credit on account of her retrospective regularization to maximum of 300 earned leaves in her total service career. In the given facts, petitioner, however, shall not be entitled to claim earned leaves from the date of her retrospective regularization till her actual joining the post on regular basis for any other purpose. The writ petition is disposed of on above terms."*

Learned counsel for the petitioner submits that the above decision has attained finality as no appeal was preferred against the same. Learned counsel further submits that the petitioner would be satisfied in case the respondents are directed to consider his case for grant of financial benefits towards the earned leave for the retrospective regularization period in light of *Anita Kumari*[3] within a time-bound schedule. Learned Additional Advocate General is not averse to this prayer.

4. Having regard to the afore-submissions, but without examining the merits of the matter, this writ petition is disposed of with a direction to the respondents/ competent authority to consider and decide the case of the petitioner in accordance with law as well as taking into consideration the above judgment in ***Anita Kumari***[3] within

a period of six weeks from today. The decision so arrived at shall also be communicated to the petitioner.

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

Jyotsna Rewal Dua
Judge

November 04, 2026
Mukesh