IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.19782 of 2026 alongwith
CWP No.19804 of 2026

Decided on: 5th November, 2026

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1. CWP No.19782 of 2026

Sanjeev Kumar **.....Petitioner**

Versus

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

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2. CWP No.19804 of 2026

Akshay Bisht **.....Petitioner**

Versus

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

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioners: Ms. Preeti Budha, Advocate vice Ms. Shalini Thakur, Advocate.

For the Respondents: Mr. Y.P.S. Dhaulta, Additional Advocate General, for respondent No.1 in both the matters.

Ms. Neelam Kaplas, Advocate, for respondent No.2 in both the matters.

Jyotsna Rewal Dua, Judge

Notice. Mr. Y.P.S. Dhaulta, learned Additional Advocate General and Ms. Neelam Kaplas, learned counsel, appear and waive service of notice on behalf of respondents No.1 and 2, respectively.

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

2. With the consent of learned counsel for the parties, the matters are heard at this stage.

3. The petitioners are serving as Junior Office Assistant (Information Technology) in respondent No.2. Their representation for considering contractual service for the purpose of promotion was rejected by respondent No.2 on 14.02.2024 (Annexure P-3), primarily for the reason that there was no such provision in the contractual policy of the State Government, as also in the applicable Recruitment and Promotion Rules. The petitioners have preferred these writ petitions seeking applicability of ***Taj Mohammad and others Versus The State of Himachal Pradesh and others***[2] for claiming the aforesaid relief. Their grievance is that their representations (Annexure P-5) preferred in this regard have not been considered and decided in view of *Taj Mohammad*[2].

It is an admitted position that "Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024" has been quashed and set aside in ***Devinder Kumar & Ors. Vs. State of Himachal Pradesh & Anr.***[3]. It is also a matter of record that ***State of Himachal Pradesh & Anr. Vs. Devinder***

[2] CWP No.2004 of 2017, decided alongwith connected matter on 03.08.2023.
[3] CWP No.3361 of 2025, decided alongwith connected matters on 25.04.2026

Kumar & Ors.[4] instituted by the State of Himachal Pradesh against the aforementioned judgment, has been dismissed by the Hon'ble Apex Court on 29.07.2026. While dismissing the appeal, the Hon'ble Apex Court granted four months' time to the State Government to do the needful in terms of the judgment.

4. In view of above, the present petitions are disposed of with direction to the respondents to consider the cases of the petitioners afresh notwithstanding the rejection order dated 14.02.2024 (Annexure P-3) for the grant of relief prayed for by them, in accordance with the time-line indicated by the Hon'ble Apex Court. The petitioners are at liberty to seek appropriate remedy for the redressal of their surviving grievances, if any, at an appropriate stage, in case, necessity so arises, in future. Pending miscellaneous applications, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

November 05, 2026
Mukesh

[4] Special Leave to Appeal (C) No(s).24885/2026