(2026:HHC:13407)

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.20668 of 2025

Decided on: 24.04.2026

Vikash @ Vikas Koundal … Petitioner

Versus

State of Himachal Pradesh and ors. … Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. Vivek Thakur, Advocate.

For the respondents : Mr. Rahul Thakur, Deputy Advocate General.

Ajay Mohan Goel, Judge *(Oral)*

Heard for some time.

2. Perusal of the order dated 07.12.2025 (Annexure P/3) demonstrates that the the case of the petitioner for compassionate appointment dated 07.12.2020 was rejected on the basis of the income of the family as it was when the case of the petitioner was taken up for consideration.

3. The Court has been informed that the petitioner's father passed away in the year 2005 and the petitioner had applied for compassionate appointment in the same year. In these circumstances, this Court is of the considered view that any delay

[1] *Whether reporters of the local papers may be allowed to see the judgment?*

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in the consideration of the petitioner's case cannot act to the petitioner's determent. The case ought to have been considered in light of the policy that was in force at the time of the petitioner's father's death, as well as the family's income as it existed at the relevant time.

4. Learned Additional Advocate General submits that he may be granted some time to have instructions in the regard.

5. In light of the above observations, this writ petition is allowed by setting aside Annexure P-3 dated 07.12.2020 and P-8 dated 03.10.2022 with a direction to the authorities to re-consider the case of the petitioner for the grant of the compassionate appointment afresh within a period of four weeks from today in the light of the policy, which was in existence at the time, when the father of the petitioner passed away and also income etc. of the family at the relevant time. If found eligible, the petitioner be considered for appointment under 5% quota as per his seniority.

In view of above, the petition is disposed of alongwith pending miscellaneous application(s), if any.

(Ajay Mohan Goel)
Judge

April 24, 2026
(*mamta*)