

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.****CWP No.54 of 2018**
Decided on: 24.11.2025

Raghuveer Singh

....Petitioner

Versus

State of H.P. & Ors

....Respondents

*Coram***Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice**
Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge*Whether approved for reporting?¹*

For the Petitioner : Mr. Amrick Singh, Advocate.

For the respondents : Mr. Pranay Pratap Singh,
Additional Advocate General,
for respondents No.1 to 3-
State.Mr. Ramesh Chand Sharma,
Advocate, for respondent No.4.

G.S. Sandhawalia, Chief Justice(Oral)

The present writ petition has been filed by Raghuveer Singh challenging the order of the Tribunal dated 5.12.2017, Annexure P/5, which in sum and substance had decided a dispute between Parkash Chand Negi and Khem Chand, in which the earlier order dated 18.1.2014 was held sustainable and had further set aside the order dated 21.6.2014, which was in favour of Parkash

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



Chand Negi, whereby he had been allowed to change the company from 3/2-Company to 3/1 Company.

2. The grounds as such of the petitioner on the basis of which the petitioner has filed the present writ petition is that he was not party before the Tribunal and no opportunity of being heard was granted to him and as such the same order is in violation of principle of natural justice.

3. The specific objection has been raised in the written statement filed on behalf of respondents No.1 to 3 by Commandant, Home Guards 3rd Battalion, Shimla-respondent No.3 that the petitioner was not eligible to participate in the selection process in the year 2014 for the post of Company Commander on the ground that he was only appointed as Platoon Commander on 24.4.2013 and did not have the requisite three years of service as Platoon Commander and, therefore, was not eligible as such.

4. Similar objection has also been taken by private respondent No.4, Parkash Chand Negi, in whose favour, the Tribunal had passed the impugned order dated 5.12.2017. It has been averred that the petitioner was not eligible in the year 2014 and, therefore, the present writ petition is liable to be dismissed as such. It has further been averred that as the petitioner was serving in the same battalion, he was well aware of all the orders passed by the competent



authorities since 2011 to 2018 but he has neither challenged any of the order nor has impleaded himself in the initial writ petition, which was filed by the said respondent before the matter had gone to the tribunal, which eventually decided the said litigation.

5. A perusal of the paper book would go on to show that the initial order dated 18.1.2014, Annexure P/2 was passed in favour of respondent No.4, Parkash Chand Negi, whereby he was allowed to change his company. The said order had been objected to by respondent No.5-Khem Chand, who had submitted his representation on 28.2.2014 regarding the same. The present writ petitioner was never in the picture at that point of time, as not being eligible. The Director General (Police)-cum-Commandant General, Home Guards/Civil Defence/Fire Services, H.P, Shimla-respondent No.2 had cancelled the order, which was in favour of respondent No.4, Parkash Chand Negi.

6. The said order was then challenged by respondent No.4 by filing the Transfer Application No.4655 of 2015, which was eventually heard by the Tribunal and respondent No.4 was successful in getting the order passed by respondent No.2 set aside. Thus the dispute, as such, was between respondent No.4 and respondent No.5 and the petitioner was never in the picture at any point of time. As



2018:HHC:9634-DB

noticed above the petitioner was not eligible for consideration to the post of Company Commander in the year 2014. Therefore, we are of the considered opinion that if he had any grievance as such, the same could only be agitated separately by taking appropriate proceedings and he has no locus standi to maintain the present writ petition.

7. Resultantly, without going into the merits of the order passed by the Tribunal, we dismiss the present writ petition. Pending miscellaneous application(s), if any, shall also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

November 24, 2025
(mamta)

(Jiya Lal Bhardwaj)
Judge