

Pushpa Sharma & Ors Vs. State of H.P. & Ors.

LPA No.11 of 2024

12.01.2024 Present: Mr. Onkar Jairath, Advocate, for the appellants.

Mr. Anup Rattan, Advocate General with Mr. Rakesh Dhaulta & Mr. Pranay Pratap Singh, Additional Advocates General and Mr. Arsh Rattan & Mr. Sidharth Jalta, Deputy Advocates General, for respondents no.1 and 2-State.

Mr. Pramod Thakur, Advocate, for respondent no.3.

LPA No. 11 of 2024 & CMP No. 854 of 2024

Notice. Mr. Rakesh Dhaulta, learned Additional Advocate General and Mr. Pramod Thakur, learned Standing Counsel, accept service of notice on behalf of respondents no.1& 2 and respondent no.3, respectively. Notice be issued to private respondents no.4 to 87, returnable by 21.03.2024, on taking steps within one week. Reply be filed by the next date of hearing.

List on **21.03.2024**.

Having regard to the fact that the private respondents had not challenged Clause 12 (xii) of the Scheme of Regularization, which conferred on them the right to be regularized only from a prospective date i.e. 01.06.2016, prima-facie, the private respondents could not have, in the Writ petition, challenged the seniority granted to the appellants over them in the provisional seniority list and in the final seniority list. Therefore, there shall be an interim stay of all further proceedings pursuant to the impugned order, until further orders.

(M.S. Ramachandra Rao)
Chief Justice

(Jyotsna Rewal Dua)
Judge

January 12, 2024

R.Atal