

**The Managing Director, HPSCB Vs. Tanju Vir Singh Tomar & Others.**

**Item No. (D-36)**

**LPA No.124 of 2026**

**17.03.2026**

**Present:** Mr. Sunil Mohan Goel, Senior Advocate with Mr. Raman Jamalta, Advocate, for the appellant.

Mr. Rohan Tomar, Advocate, for respondent No.1.

Learned Senior Counsel for the appellant submits that the review application was filed specifying that a sum of Rs.3150/- which was the extra amount which has been directed to be refunded, was the element of re-fixation from 15.02.2018 to 30.04.2018.

**2.** It is pointed out that the writ petition was based on the earlier judgment passed by the learned Single Judge in CWP No.660 of 2018, titled ***Gopal Singh Kanwar & others Vs. State of Himachal Pradesh & others***, decided on 28.03.2023 (**Annexure P-4**), wherein it was specifically held that the employeer has a right to re-fix the pay. It is thus submitted that the direction to refund the extra amount of Rs.3150/- as a total amount of Rs.4,86,798/- which was also including the amount of Rs.3150/-, on account of re-fixation would have large scale ramifications as similarly situated employees would also then take advantage of such a direction.

**3.** It is also submitted by the counsel for the appellant that a sum of Rs.4,83,648/- has already been refunded.

**4.** Notice. Mr. Rohan Tomar, Advocate, appears and waives service of notice on behalf of respondent No.1. He prays for time to seek necessary instructions by the next date.

**5.** Accordingly, we stay the operation of the impugned judgment dated 28.03.2023, passed by the learned Single Judge, whereby the amount of Rs.4,86,798/- has been directed to be refunded to the petitioner.

**6.** Accordingly, the proceedings are deferred for **07.05.2026.**

**(G.S. Sandhawalia)**  
**Chief Justice**

**(Bipin C. Negi)**  
**Judge**

**17<sup>th</sup> March, 2026**  
**(Munish Thakur)**