

(2025:HHC:3037)

IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No: 2288 of 2025

Decided on: 11.02.2025

Shanti Devi

...Petitioner

Versus

State of Himachal Pradesh & Others

...Respondents

Coram:

HON'BLE MR. JUSTICE RANJAN SHARMA, VACATION JUDGE

WHETHER APPROVED FOR REPORTING?

For the petitioner : Mr. C.D.Negi, Advocate.

**For the respondents : Mr. Vishal Panwar, Additional
Advocate General.**

Ranjan Sharma, Judge

The petitioner has filed the writ petition with the following prayer:-

- (i) That the respondents may kindly be directed to allow the petitioner to continue his service till the age of 60 years being Class-IV employee, as per the judgment rendered by this Hon'ble Court in CWP No. 2274 of 2021, Satya Devi Vs. State of H.P. and Ors. and the other connected matters."

2. Petitioner was initially engaged as Part Time Water Career on in the year 2006 and she was regularized in service on 02.07.2020. Grievance of the petitioner is that in terms of mandate of this Court, in CWP No. 2274 of 2021, titled as **Satya Devi versus State of Himachal Pradesh** and others decided on 28.05.2024, the petitioner has a right to continue upto the age of 60 years i.e. [31.05.2027] for which the petitioner has submitted an undated representation [Annexure P-2], to Director of Higher Education but the respondents are taking steps to retire the petitioner from service prematurely, at the age of 58 years, in violation of mandate of law in **Satya Devi's case** (supra).

3. Upon listing of this case Mr. Vishal Panwar, Additional Advocate General, waives service of notice on behalf of the respondents.

4. Learned State Counsel submits that the claim of the petitioner for continuity-reinstatement, as in the representation [Annexure P-2], in terms of the judgment in **Satya Devi's case** (supra), shall be examined by the

competent authority, in accordance with law, and if, the case of the petitioner is found to be similarly placed, then, appropriate orders, in accordance with law, shall be passed.

5. Taking into account the entirety of the facts and circumstances and with the consent of Learned Counsels for the parties herein, this Court disposes of the instant writ petition, at this stage, leaving all questions open, with the following directions:-

- (i). Respondent No.2- Director Higher Education (H.P), Shimla shall examine the claim of petitioner as in representation [Annexure P-2], for continuity in service upto the age of 60 years [i.e. 31.05.2027] in terms of the judgement passed by the Principal Division Bench of this Court in **CWP No. 2274 of 2021 Satya Devi versus State of Himachal Pradesh and others decided on 28.05.2024** in accordance with law; after affording personal hearing to petitioner within three weeks from today;
- (ii). Upon consideration, if the claim of petitioner is found to be similarly placed

and covered in terms of the judgment, in **Satya Devi's** case (supra), then, further consequential action of continuity/ reinstatement and the release of admissible service benefits to the petitioner be taken by Respondents within the aforesaid period;

(iii) Parties to bear respective costs.

In aforesaid terms, the instant writ petition as well as the pending miscellaneous application(s), if any, also stand disposed of.

(Ranjan Sharma)
Vacation Judge

February 11, 2025
(Shamsh Tabrez)