

Item No. (D-1) **Executive Engineer, HPPWD Vs. Kanta Devi**
LPA No.155 of 2026

07.05.2026 **Present:** Mr. Varun Chandel, Additional Advocate General, for the appellant-State.

LPA No.155 of 2026 and CMP No.5111 of 2026

Inter alia contends that the findings of the Labour Court that the Department had not asked for any explanation regarding the absence of the workman and no office note has been produced regarding the fact that the employee was in the habit of remaining absent without any cause are not justified as it is not for the Department to go after a daily-wager who does not report for duty.

2. It is thus submitted that as per the year-wise working days chart (**Annexure A-I**), it would be clear that from the year 1999 till 2007, the workman was short of 240 days consistently, whereas from the year 2008 to 2014, she had put in over 350 days approximately and it is thus submitted that the regularization was rightly done on 18.08.2015 (**Annexure A-II**).

3. Reliance is also placed upon the judgment of this Court passed in **CWP No.1272 of 2021**, titled **State of H.P. & Ors. Vs. Sanjiv Vajir**, decided on 22.05.2023 in this context.

4. Accordingly, it is submitted that this aspect missed the notice of the learned Single Judge and a wrong reliance was placed upon a statement of the Executive Engineer in favour of the workman.

5. Issue notice to the respondent, on taking steps within two weeks, returnable within four weeks.

6. Till further orders, the operation of the impugned order shall remain stayed.

7. Record of the Labour Court be called for.

8. Accordingly, the proceedings are deferred for

02.07.2026.

(G.S. Sandhwalia)
Chief Justice

(Bipin C. Negi)
Judge

7th May, 2026
(Munish Thakur)