

**IN THE HIGH COURT OF HIMACHAL PRADESH
AT SHIMLA**

CWPOA No.4792 of 2020

Decided on: 13.10.2025

Mohinder Singh

...Petitioner

Versus

Himachal Pradesh State Forest Development
Corporation and others

...Respondents

Coram

Hon'ble Mr. Justice Ranjan Sharma, Judge

¹*Whether approved for reporting ? No*

For the petitioner: Mr. R.L. Chaudhary, Advocate.

For the respondents: Mr. D.S. Kainthala, Advocate.

Ranjan Sharma, Judge [Oral]

Petitioner-Mohinder Singh, has come up
before this Court seeking following relief(s):-

“That the respondents may kindly be directed to give regularization to the applicant against the post of Fieldman from the due date i.e. 18.03.2015 in terms of the regularization policy of the State Government with all consequential benefits within a time bound manner, since the applicant was deployed on compassionate ground on 18.03.2008 and he has completed requisite number of years on 18.03.2015 as per policy for regularization, but till date, his services have not been regularized.”

FACTUAL MATRIX:

2. Grievance of the petitioner is that he was engaged as Fieldsman, on daily wage basis, on

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

compassionate grounds on 18.03.2008 [Annexure A-1] and had joined as such. The petitioner is stated to have worked continuously with 240 days but the petitioner was neither granted regularization nor work charge status for which he submitted a representation on 21.03.2018 [Annexure A-3]. In this backdrop, it is submitted that the petitioner has filed the instant petition claiming regularization with lesser prayer for work charge status as is being contended now in the instant proceedings, from the date he completed 8 years of continuous daily wage service.

**STAND OF THE RESPONDENT-CORPORATION
IN THE REPLY-AFFIDAVIT:**

3. Pursuant to issuance of notice, the Respondents-Corporation has filed the Reply-Affidavit of Director (South), Himachal Pradesh State Forest Development Corporation dated 28.08.2021.

3(i). Perusal of the Reply-Affidavit indicates that the petitioner was engaged as daily wage Fieldsman on 18.03.2008, on compassionate ground, with the approval of Competent Authority. Reply-Affidavit further indicates that due to non-availability of posts, the petitioner was not regularized earlier. It has further

averred in the Reply-Affidavit that the petitioner was regularized by the Respondents-Corporation in the year 2019 prospectively. It is further averred that no junior to the petitioner has been regularized by the Respondents-Corporation and, therefore, prayer is made for dismissing the petitioner.

NO REBUTTAL BY PETITIONER:

4. Petitioner has not filed any rebuttal, by way of rejoinder to the stand taken by official respondents in the Reply-Affidavit.

5. Heard, Mr. R.L. Chaudhary, Learned Counsel for the petitioner and Mr. D.S. Kainthala, Learned Counsel for the Respondents-Corporation.

6. At this stage, Learned Counsel for the petitioner, on Instructions, states that the petitioner shall be satisfied, in case, the Respondent-Corporation examines the claim of the petitioner for conferment of work charge status, as the case may be, from the date of completion of 8 years of continuous service in terms of the Mandate of the Hon'ble Supreme Court in **Civil Appeal No.1595 of 2025**, titled as **State of Himachal Pradesh versus Surajmani and other connected**

matters, decided on 06.02.2025 [*Statement Taken on Record*].

7. Per contra, Learned Counsel for the Respondent-Corporation states that the mandate of the Hon'ble Supreme Court in the case of **Surajmani [supra]** is not disputed. However, learned counsel submits that in case, the claim of the petitioner, upon examination is found to be covered by the judgment of the Hon'ble Supreme Court, in the case of **Surajmani [supra]**, the necessary/admissible benefits accruing therefrom, notionally, shall only be granted.

DIRECTIONS:

8. In view of the above discussion and leaving all questions of law open and for the reasons recorded hereinabove, the present petition is disposed of, *in the following terms:*

- “(i). Respondents-Corporation is directed to examine the claim of the petitioner for grant of work charge status [as the case may be] from the date of completion of 8 years of continuous daily wage service, in terms of the mandate of Hon'ble Supreme Court, in the case of **Surajmani [supra]** within two months from today;
- (ii). Needless to say that this Court has

neither adverted to the rival claims and contentions nor adjudicated the upon the admissibility or inadmissibility of the claim of the petitioner, on merits; which shall be examined by the Respondent-Corporation hereinafter, in accordance with law.

In aforesaid terms, the instant petition is disposed of along with all pending miscellaneous application(s), if any, shall also stand disposed of.

(Ranjan Sharma)
Judge

13th October, 2025
[himani]