



Devinder Kumar versus State of H.P and another a/w connected matters.

CWP No. 3361 of 2025 a/w LPA No.364/2024, CWP Nos. 4075, 4380, 4622, 4780, 4825, 4951, 4995, 4998, 4999, 5041, 5043, 5062, 5064, 5065, 5066, 5067 to 5072, 5079, 5084, 5090 to 5099, 5100, 5102, 5104 to 5112, 5115, 5120, 5122, 5123, 5180, 5183 to 5194, 5203 to 5206, 5208 to 5246, 5255, 5257 to 5285, 5288, 5290, 5292, 5293, 5295, 5297, 5300, 5302, 5328 to 5332, 5334 to 5338, 5340, 5342, 5344, 5346 to 5352, 5354 to 5363, 5365 to 5378, 5380 to 5400, 5401 to 5424, 5426, 5427, 5431 to 5435, 5446, 5448 to 5468, 5470, 5472, 5473, 5475, 5477, 5479 to 5496, 5498, 5500, 5502, 5524, 5529, 5531 to 5540, 5542 to 5554, 5556 to 5558, 5560 to 5562, 5567 to 5572, 5574 to 5599, 5601 to 5606, 5610, 5612 to 5630, 5632 to 5643, 5646 to 5662, 5664 to 5676, 5682, 5684, 5688, 5691, 5693, 5695, 5697, 5702 to 5721, 5723, 5725, 5735, 5736, 5739 to 5748, 5751 to 5758, 5760 to 5764, 5769, 5780 to 5794, 5796 to 5800, 5801, 5802, 5804 to 5809, 5813 to 5816, 5821 to 5832, 5834 to 5843, 5845, 5846, 5848, 5850 to 5856, 5858, 5859, 5861, 5863, 5864, 5866, 5867, 5869, 5872, 5876 to 5880, 5883 to 5888, 5891 to 5898, 5900, 5905, 5907, 5908, 5914, 5916, 5918 to 5930, 5932 to 5960, 5962, 5964, 5968, 5970, 5977, 5979, 5987, 5990, 5992 to 6000, 6001 to 6007, 6009 to 6023, 6029 to 6041, 6044 to 6048, 6050 to 6053, 6055, 6058 to 6073, 6076, 6077, 6079, 6080, 6082, 6089 to 6091, 6118 to 6134, 6136 to 6140, 6142, 6143, 6145 to 6147, 6149 to 6152, 6154, 6155, 6157, 6158, 6160, 6162 to 6167, 6170, 6172 to 6176, 6179, 6181, 6183, 6184, 6186 to 6199, 6204, 6205, 6206, 6208 to 6210, 6213 to 6222, 6224 to 6236, 6242, 6244, 6245, 6247 to 6249, 6252 to 6288, 6290 to 6295, 6320, 6322, 6324, 6326 to 6328, 6330, 6332, 6336, 6363, 6392, 6393, 6409, 6410, 6412, 6413, 6415, 6417, 6419, 6421, 6422, 6424 to 6445, 6490, 6491, 6493, 6495, 6499, 6502, 6517, 6518, 6537, 6549 to 6552, 6555, 6577, 6580 6589, 6593 to 6597, 6600, 6641, 6646, 6647, 6651, 6701, 6704, 6708, 6709, 6712, 6716, 6722, 6727, 6733, 6738, 6771, 6782, 6784 6786, 6787, 6789, 6791 to 6794, 6797, 6830, 6836, 6911, 6912 to 6915, 6917, 6946, 6976, 7015, 7017, 7022, 7029, 7032, 7225, 7227, 7231, 3623, 3716, 3738, 3968, 4004, 4018, 4019, 4045, 4132, 4214, 4325, 4374, 4439, 4444, 4485, 4758, 4799, 4921, 4923, 4959, 4960, 4961, 4962, 4964, 4966, 4967, 4968, 4970, 4972, 4974, 4976, 4981, 4982, 4983, 4986, 4987, 4989, 4990, 4992, 5041, 5043, 5062, 5063, 5066, 5089, 5082, 5084, 5089, 6153, 9077, 7553, 10559, 9748, 9776, 9843, 9746, 9780, 9882, 9842, 9841, 9844, 9699, 4212, 5093, 5249, 5256, 5503, 5525 to 5528, 5559, 5631, 5847, 6008, 6153, 6708, 6769, 6833 6837, 6880, 7112, 7234, 7236, 7238, 7240, 7244 to 7261, 7300, 7331, 7360, 7362, 7368, 7470, 7471, 7478, 7480, 7503 to 7505, 7508 to 7512, 7532, 7543, 7548, 7550, 7552, 7558, 7574, 7584, 7618, 7620, 7632, 7642, 7686, 7687, 7818,



7844, 7863, 7908, 7928, 8040, 8188, 8252, 8337, 8338, 8339, 8343, 8379, 8386, 8388, 8602, 8727, 8738, 8761, 8786, 8831, 8838, 8840, 8855, 8876, 8878, 8952, 9007, 9029, 9030, 9052, 9178, 9256, 9312, 9346, 9348, 9428, 9472, 9551, 9666, 9676, 9677, 9678, 9681, 9682, 9683, 9689, 9690, 9691, 9699, 9716, 9727, 9840, 9850, 9859, 9899, 9944, 10073, 10074, 10143, 10165, 10168, 10172, 10231, 10290, 10300, 10364, 10365, 10403, 10404, 10427, 10453, 10514, 10528, 10559, 10638, 10699, 10757, 10776, 10820, 10909, 10928, 10981, 11129, 11283 of 2025, 11350, 11352, 11353, 11355 of 2025, 10184 of 2023, Ex. PT No. 165, 248 of 2024 and 29 of 2025, LPA 364 of 2024 and COPC 183 of 2025

19.08.2025

Present: Mr. Onkar Jairath, Ms. Vishali Lakhanpal, Mr. Shekar Badola, Mr. Mohammad Ahamed Safee, Mr. Pranav Kumar, Mr. Vaibhav Tanwar, Mr. Adarsh Kumar Vashista, Mr. Raju Ram Rahi, Mr. T.S. Chauhan, Senior Advocate with Mr. Surya Chauhan, Mr. Shivom Vashishta, Mr. Munish Datwalia, Ms. Ruchika Khachi, Ms. Shalini Thakur, Mr. Parveen Kumar Chandel, Mr. Yash Sharma, Mr. H.R. Bhardwaj, Mr. Sanjeev Kumar Suri, Mr. Suresh Singh Saini, Mr. Somesh Raj, Mr. Vinod Thakur, Mr. Ashok Kumar, Mr. Ashwani Kumar Sharma, Mr. Vishal Singh Thakur, Ms. Shivani, Mr. Nitin Rishi, Mr. Amrinder Singh Rana, Mr. Sat Prakash, Mr. Shyama Prashad Chatterji, Mr. Udit Shaurya Kaushik, Mr. Parav Sharma, Shekhar Badola, Rupesh Kumar, Mr. Rahul Thakur, Mr. Vikas Rajput, Mr. Ganesh Barowalia, Mr. Ajeet Singh Saklani, Mr. Ashwani Kaundal, Mr. Suneel Awasthi, Mr. Vinod Chauhan, Mr. Vivek Thakur, Mr. Pradeep Kumar Sharma, Mr. Naresh Kaul, Ms. Sheetal Kaul, Mr. Balwant Singh Thakur, Ms. Anchal Sharma, Mr. Inder Sharma, Mr. Surila Sangam Mr. Virbahadur Verma, Ms. Anu Minhas, Ms. Anita Devi, Mr. Mukul Sharma, Mr. Yogesh Kumar Chandel, Mr. Prashant Sharma, Mr. Deven Krishan Khanna, Mr. Roop Lal Chaudhary, Mr. Tarun K. Sharma, Mr. Yash P. Sharma, Mr. Ranbir Rathore, Mr. Rakesh Kumar Dogra, Mr. Sanjeev Mankotia, Mr. Vinod Kumar Thakur, Mr. Sat Prakash, Mr. Sameer Miyan, Mr. Vikas Rathore, Ms. Anu Minhas, Mr. Lal Chand, Ms. Sumita Rani, Mr. Rinkesh Kumar, Mr. Lesh Singh, Mr. Anil Kumar, Mr. Sandeep Kumar Pandey, Mr. Bhupinder Kumar, Mr. Mukul Sood, Mr. Neeraj Sharma, Senior Advocate with Mr. Hemant Kumar Thakur, Mr. Ankit Dhiman, Mr. Deepanshu Bindal, Mr. Arun Kaushal, Ms. Shagun Sharma, Mr. Anil Kumar God, Mr. Vivekanand, Ms. Rajni Gandhi, Mr. Rajesh Kumar, Mr. Rakesh Chauhan, Mr. Paresh Sharma, Mr. Rajiv



Rai, Mr. Mayank Sharma, Mr. Manohar Lal Sharma, Mr. Himanshu Kapila, Mr. Bonit Prakash, Mr. Sajeev Kumar, Mr. Surender Prakash Sharma, Mr. Naresh K. Sharma, Mr. Lalit Kumar Sehgal, Mr. Gurdev Singh, Mr. Vishwa Bhushan, Mr. Ravinder Singh, Mr. C.D. Negi, Mr. Pawanish Kumar Shukla, Mr. Rocky, Mr. Mandeep Chandel, Mr. Ram Kumar, Mr. Ramesh Chand Sharma, Mr. Rajat Kumar, Mr. Mohit Thakur, Mr. Vinod Kumar Thakur, Mr. Sumesh Raj, Mr. Mohar Singh, Mr. Rupinder Singh, Mr. Devender K. Sharma, Mr. Arvind Sharma, Mr. Bharat Thakur, Mr. Manish Sharma, Mr. Nitin Thakur, Mr. Ajay Chandel, Mr. Ajay Thakur, Mr. Raman Jamalta, Mr. Paras Dhaulta, Mr. Abhinav Mohan Goel, Mr. Abhijeet Singh Chauhan, Mr. Praneet Gupta, Advocates, Mr. Amrick Singh, Advocate, Ms. Shubh Mahajan, Mr. Naresh Mahajan, Mr. J.L.Bhardwaj, Senior Advocate with Mr. Sanjay Bhardwaj and Mr. Rajnish Maniktala, Senior Advocate with Mr. Dinkar Bhaskar, Advocate for respective petitioner(s).

Mr. Anup Rattan, Advocate General with Mr. Ramakant Sharma, Additional Advocate General, for the respondents/State.

Ms. Salochana Rana, Advocate, for respondent/State Pollution Control Board.

Mr. Dheeraj Kumar Vashishat, Mr. Virender Singh Kanwar and Mr. Deepak Sharma, Advocates for respondent- H.R.T.C.

Mr. Tek Ram Sharma, Advocate, for respondent/Accountant General.

Mr. Rajesh Kosh, Advocate, for respondent/Accountant General in CWP No.8602 of 2025.

Ms. Komal Chaudhary, Advocate, for the respondent/Accountant General in CWP No.10300 of 2025.

Mr. Tejasvi Dogra, Mr. Rahul Thakur, Mr. Nitin Thakur, Mr. Mukul Sharma, Mr. Ranbir Rathore, Mr. Mukul Sood, Advocates, for respective respondent(s).

CWP No.3716 of 2025

De-linked.



List alongwith CWP No.5590 of 2023.

CWP Nos. 158, 543, 553, 612,4951, 4995, 4998, 4999, 4799 4799, 4921, 4923, 4976, 4981, 4982, 4983, 4987, 4989, 4990, 4992, 4954,4966, 4967, 4968, 4970, 4972, 4974, 4982, 4983, 4986, 5012, 5082, 5089,5090 to 5100, 5102, 5104 to 5112, 5115, 5120, 5122, 5123, 5171,5180,5183 to 5194, 5203 to 5206,5208 to 5246, 5249, 5258, 5259 5255, 5256, 5257, 5260, 5261, 5262, 5263, 5269 to 5285, 5288, 5290, 5292, 5293, 5295, 5297, 5300, 5302, 5329, 5346, to 5348, 5350 to 5361, 5363, 5365 to 5378, 5479, 5380 to 5400, 5401 to 5427, 5431 to 5435, 5446, 5448 to 5468, 5470, 5472, 5473, 5475 to 5482, 5486, 5488 to 5495, 5498, 5500, 5502, 5503, 5524, 5525, 5526 to 5529, 5531, 5532, 5534,5535, 5536,5537, 5538, 5539, 5540,5541,5542,5543,5544,5545,5546,5547,5548, 5549,5550,5551,5552, 5554, 5556, 5557, 5558, 5559, 5560, 5561, 5562, 5567 to 5569,5571, 5572, 5579 to 5583, 5584 to 5590, 5591 to 5599, 5610, 5629, 5639 to 5662, 5664 to 5670, 5671 to 5684, , 5688, 5691, 5693 to 5697, 5702 to 5704, 5705 to 5716, 5717, 5718, 5719, 5720, 5721, 5736, 5739, 5740 to 5748, 5751, 5752, 5753 5754, 5755, 5756, 5757 to 5780, 5781 to 5792, 5793 5794, 5796, 5797, 5798, 5799, 5800, 5801, 5802, 5804 to 5807, 5808, 5809,5813, 5816, 5824, 5825, 5826, 5828, 5830, 5831, 5835, 5842, 5850 to 5853, 5856, 5858, 5859, 5861, 5863, 5864, 5866, 5867, 5869, 5872, 5876, 5877 to 5879, 5880, 5884, 5885, 5886, 5892 to 5895, 5900, 5908, 5918 to 5920, 5925, 5942 to 6089, 6090, 6091,6118 to 6363, 6392, 6393 to 6412, 6413, 6415, 6417, 6419, 6421, 6422, 6425 to 6445, 6490, 6493, 6499, 6502, 6537, 6550, 6552, 6580, 6593, 6594, 6595 to 6597, 6641, 6646, 6651, 6701, 6704, 6708, 6712, 6722, 6733, 6769, 6771, 6782, 6880,6915, 6946, 7015, 7017, 7331, 7360, 7362, 7548, 7558, 7584, 7632,7642, 7687, 7818, 7844, 7863, 7908, 7928, 8671, 8738, 9428, 9727, 9859, 9882, 10403, 10404,10909, 10638, 10757, 10776,



10928, 11554, 11741 to 11745, 11752 to 11762, 13099, 13104, 13265 to 13268, 13271, 13273 of 2025.

De-linked.

Replies to these petitions, if any, be filed within four weeks' positively. Rejoinders thereto within two weeks' thereafter.

List on **07.10.2025** alongwith CWP No.13264 of 2025.

**CMP No.7073 of 2025 in CWP No.5706 of 2025.
CMP No.19687 in CWP No.5863 of 2025.
CMP No.19688 of 2025 in CWP No.5465 of 2025
CMP No.19689 of 2025 in CWP No.5461 of 2025.**

For the reasons stated in these applications, corrections in the memos of parties, as prayed, are allowed. Amended memos of parties, annexed with the respective applications, be placed on record at appropriate place.

Applications stand disposed of.

**CMP No. 19753/2025 in CWP No. 5375/2025
CMP No.19938/2025 in CWP No.5408/2025
CMP No. 19939/2025 in CWP No.5405/2025
CMP No. 19940/2025 in CWP No.5404/2025
CMP No. 19941/2025 in CWP No.5403/2025
CMP No. 19942/2025 in CWP No.5402/2025
CMP No. 19943/2025 in CWP No.5406/2025**



CMP No.19629 in CWP No.5796/ 2025
CMP No.19772/2025 in CWP No.9797/2025
CMP No.19771/2025 in 5799/2025
CMP No.19937/2025 in CWP No.5808/2025
CMP No.19851/2025 in CWP No.5821/2025
CMP No.19850/2025 in CWP No.5822/2025
CMP No.19849/2025 in CWP No.5827/2025
CMP No.19848/2025 in CWP No.5829/2025
CMP No.19804/2025 in CWP No.5832/2025
CMP No.19863/2025 in CWP No.5834/2025
CMP No.19803/2025 in CWP No.5836/2025
CMP No.19802/2025 in CWP No.5837/2025
CMP No.19798/2025 in CWP No.5838/2025
CMP No.19799/2025 in CWP No.5839/2025
CMP No.19825/2025 in CWP No.5840/2025
CMP No.19615/2025 in CWP No.5841/2025
CMP No.19778/2025 in CWP No.5843/2025
CMP No.19616/2025 in CWP No.5845/2025
CMP No.19617/ 2025 in CWP No.5846/2025
CMP No.19618/2025 in CWP No.5847/2025
CMP No.19619/ 2025 in CWP 5848/2025
CMP No.19730/ 2025 in CWP No.5883/2025
CMP No.19770/2025 in CWP No.6495/ 2025.

Heard.

It is case of the petitioner(s) that in pursuance to various judgments/orders passed by this High Court as well as Apex Court in various cases, consequential benefits were extended to the petitioner(s).



However, now by referring ***“The Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024”***, enacted by the Legislature of Himachal Pradesh, benefits extended to the petitioners have been ordered to be withdrawn by issuing office order dated 25.07.2025.

It has been submitted on behalf of the petitioners that benefits have been extended to the petitioners in terms of the judgments/ orders passed by this High Court as well as the Apex Court, therefore, it is not permissible for the respondents to withdraw such benefits extended to the petitioners. It has been submitted by learned counsel for the petitioners-applicants that though the State has every right to enact from retrospective dates by declaring that what shall be law deemed to have been on a particular date, but the State has no right to render any judgment passed by the Court ineffective or to overrule the judgment passed by Competent Court after exercising its jurisdiction in accordance with law, as held by the Apex Court in ***Janapada Sabha Chhindwara v. The Central Provinces Syndicate Ltd. and another, (1970) 1 SCC 509.***

It has been further submitted by the learned counsel for the petitioners-applicants that such an act is not



only detrimental to the interest of the petitioner-applicant, but is also a contemptuous act.

There is a force in the contention of learned counsel for the petitioners-applicants and a *prima facie* case is made out for passing ad interim injunction against the respondents-State, as prayed.

Accordingly, execution and implementation of Office Order dated 25.07.2025 (Annexure P-5) (in the respective applications), issued by the Deputy Director Elementary Education, Nahan, Himachal Pradesh, is stayed during pendency of the present writ petitions.

Alteration, modification and vacation on motion.

Applications stand disposed of.

CWP No.3361 of 2025

Learned Advocate General submits that reply on behalf of the State to the challenge laid to '***The Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024***', filed in this writ petition, may be considered as reply in all other similar writ petitions on the said issue, by reserving right of the State to file separate replies with respect to factual matrix, if need so arise in the individual cases. Prayer is accepted.

As rejoinder has also been filed, pleadings in all these petitions are complete.



2026:HHC:13536

Learned Advocate General is directed to supply copies of the reply filed in CWP No.3361 of 2025 to all learned counsel for the petitioner(s) in the connected matters within one week.

As prayed by learned Advocate General, list CWP No.3361 of 2025 alongwith connected matters (as per changed list of matters) for final adjudication on 18.09.2025.

(Vivek Singh Thakur)
Judge

(Sushil Kukreja)
Judge

19th August, 2025
(reena)