

IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA

CWP No. 2939 of 2024
Decided on : 23.03.2026

Smt. Sharda

...Petitioner

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Whether approved for reporting?¹

For the petitioner : M/s Chander Narayan Singh,
Anshul Gandhi and Ramesh
Kumar, Advocates.

For the respondents : Mr. Pushpinder Jaswal, Additional
Advocate General, for respondents
No.1 & 2.

Mr. Susheel Gautam, Advocate, for
respondents No.3 & 4.

Ajay Mohan Goel, Judge (*Oral*)

By way of this writ petition, the petitioner has, *inter alia*, prayed for the following reliefs:-

“i) Issue a writ of Mandamus or other appropriate writ
order or direction directing the Respondents to
Regularize the contractual services of the Petitioner on

¹Whether reporters of the local papers may be allowed to see the judgment?

the post of Social Extension Officer in the Department of Forest (i.e. Respondent no.1 to 3) after completion of Six Years of contractual service i.e. w.e.f. 31.07.2014 in terms of the regularization policy framed by the respondent department (Annexure P-5) with all consequential benefits.

ii) Issue a writ of Mandamus or other appropriate direction directing the writ order or respondents to re-fix the pay of the Petitioner and pay the entire consequential benefits- in favour of the Petitioner with in time bound manner along with 12% Interest.

iii) Or in Alternative Issue a writ of Mandamus or other appropriate writ order or direction, by directing the respondents to pay the equal pay and perks to Petitioner from the initial date of her appointment Or after completion of Two years of contractual service as paid to regular employees of the government department in terms of the law laid down by the Hon'ble Apex Court of India with all consequential benefits."

2. Learned counsel for the petitioner submits that the issue being raised by the petitioner is no more res integra, as a person similarly situated as a petitioner had approached this Court by way of **CWPOA No.3562 of 2019, titled Sant Ram**

and another Versus State of Himachal Pradesh and others,

which was allowed, Letters Patent Appeal preferred against the judgment of the learned Single Judge in which case was dismissed and the judgments passed by this Court in which matter were upheld by the Hon'ble Supreme Court of India. Learned counsel drew the attention of the Court to the reply filed by the respondents and by referring to Para- 19 of the reply, he submitted that it stands admitted by the respondents that the case of the petitioner is similar to that of Sant Ram, but as per the State it had assailed the said order before the Hon'ble Supreme Court of India. Learned Counsel submitted that now as the matter stands decided by the Hon'ble Supreme Court and as the respondents themselves admit that the case of the petitioner was similar to that of Sant Ram, present petition be allowed and the respondents to be directed to confer same benefits upon the petitioner.

3. Learned Additional Advocate General, on the other hand submits that the case of the petitioner is not similar to Sant Ram, but is fundamentally different and, therefore, the petitioner cannot claim the same relief as was granted to Sant

Ram.

4. Having heard Learned Counsel for the petitioner and also learned Additional Advocate General and having perused the pleadings of the case, this Court is of the considered view that the petitioner is entitled for the reliefs as stands granted to Sant Ram in light of the admission made by the respondents-State in its reply that the case of the petitioner was similar to Sant Ram.

5. Para-25 of the reply of the State is quoted herein below:-

"25. That with respect to order of this Hon'ble Court in CWPOA No. 3562 of 2019 titled as Sant Ram & Anr. Vs. State of Himachal Pradesh & Ors. dated 06.09.2022, it is admittedly correct that case of the present petitioner is similar to that of Sh. Sant Ram. However, the State of H.P. has already assailed this order before the Hon'ble Supreme Court of India vide Diary No. 10840/2024 whereby, on dated 26.04.2024 Hon'ble Apex Court has ordered to maintain status quo, copy of order dated 26.04.2024 is annexed as Annexure R-4."

6. Thus, in the light of the said reply, which is supported on the affidavit of none other than the Principal Chief

Conservative of Forest-cum-Chief Project Director, Integrated Development Project-cum-Chief Executive Officer, Himachal Pradesh Natural Resource Management Society, Solan, the contention now raised by the State that the case of the petitioner is different from Sant Ram cannot be accepted.

7. Accordingly, this petition is allowed and respondents are directed to confer the benefits upon the petitioner by treating the directions passed in Sant Ram's case, as having been passed in the case of this petitioner also. The contractual services rendered by the petitioner shall be regularized from due date notionally and actual benefits shall accrue three years preceding the date of filing of the writ petition by the petitioner. Needful be done within three months from today.

8. The petition stands disposed of, so also the pending miscellaneous applications, if any. Interim order, if any, stands vacated.

(Ajay Mohan Goel)
Judge

March 23, 2026
(Shivank Thakur)