

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**LPA No. 127 of 2026 and
CMP(M) No. 60 of 2026 in
LPA No. 225 of 2026 and
CMP(M) No.53 of 2026
Decided on : 22.04.2026**

1. LPA No. 127 of 2026

HPSEBL

...Appellant

Versus

ER. Harish Kumar

...Respondent.

2. LPA No.225 of 2026

HPSEBL

...Appellant

Versus

ER. Umesh Kumar Gupta

...Respondent.

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.

Hon'ble Mr. Justice Bipin Chander Negi, Judge.

Whether approved for reporting?¹

For the appellant(s) : Ms. Sunita Sharma, Sr. Advocate, with Mr. Mohit Sankhyan and Mr. Dhananjay Sharma, Advocates.

For the respondent(s) : Mr. Prakash Sharma, Advocate.

G.S. Sandhawalia, Chief Justice (Oral)

CMP(M) Nos. 60 & 53 of 2026

Keeping in view the averments made in the application, duly supported by an affidavit of the official, the delay of 199 & 160 days in filing the appeal against the judgment dated 30.10.2023

¹ *Whether the reporters of the local papers may be allowed to see the Judgment? Yes*

passed by the learned Single Judge is condoned.

The application stands disposed of accordingly.

LPA Nos. 127 & 225 of 2026

The present appeals are directed against the judgments passed by the learned Single Judge. The learned Single Judge, in Civil Writ Petition No. 7959 of 2023 titled *Harish Kumar vs. Electricity Board* and Civil Writ Petition No. 8180 of 2023 titled *Er. Umesh Kumar Gupta vs. HPSEBL*, decided on 30th October, 2023, had relied upon the judgment passed in Civil Writ Petition No. 2108 of 2023, titled *Bhagat Ram vs. HRTC*, decided on 31.05.2023, to grant the benefit.

2. It is not disputed that the Division Bench had reviewed the said order on 30th August, 2024 and the matter is now pending before the Coordinate Bench. Resultantly, we are of the considered opinion that keeping in view the order passed in LPA No. 109 of 2024 titled *State of H.P. and another vs. Roshan Lal Khajuria and another*, decided on 22.05.2025, the present appeals are also liable to be allowed.

3. In view of the above, the appeals stand allowed. Civil Writ Petition No. 7959 & 8180 of 2023 are restored to their original position and shall be heard along with Civil Writ Petition No. 2108

of 2023 titled *Bhagat Ram vs. HRTC and others* along with connected matters.

3. In view thereof, the appeals stand disposed of, as also the pending miscellaneous applications, if any.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

22nd April, 2026
(Tarun Singh)

