



2026:HHC:8904
2026:HHC:8904

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 3632 of 2026

Decided on: 25.03.2026

Sh. Sunil Prashar

.....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 Chandranarayana Singh, Dr. Nidhi Singh, Anshul Gandhi and Ramesh Kumar Advocates.

For the respondents : Mr. Rahul Thakur, Deputy Advocate General for respondents – State.

: Mr. Susheel, Gautam, Advocate for respondents No. 4.

Ajay Mohan Goel, Judge *(Oral)*

Notice. Mr. Rahul Thakur, learned Deputy Advocate General and Mr. Susheel Gautam, learned Counsel, accept notice on behalf of the respective respondents.

2. 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 the post of Data Entry Operator in the respondents department (i.e.

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



Respondent No.1 to 3) after completion of Six Years of contractual service i.e. w.e.f. 07.01.2015 in terms of the regularization policy framed by the respondent State with all consequential benefits.

ii) Issue a writ of Mandamus or other appropriate writ order or direction directing the 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) Issue a writ of Mandamus or other appropriate writ order or direction, by directing the respondents to pay equal pay and perks to Petitioner from the initial date of his appointment to the post of Data Entry Operator working on contract basis 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.”

3. Learned Counsel for the petitioner has drawn the attention of the Court of Annexure P-9 and has submitted that when the petitioner had earlier approached the Court, said petition was disposed of by this Court in terms of Annexure P-8, order dated 21.05.2024, with the direction to the authority to decide the



representation of the petitioner in terms of the averments thereof within a period of six weeks. Learned Counsel has submitted that in compliance to the said order, the Authority has passed order dated 03.10.2024 (Annexure P-9), in which it is mentioned that though the case of the petitioner is squarely covered by the judgment passed in Sant Ram and another vs. State of H.P. and others (CWPOA No. 3562 of 2019) decided on 06.09.2022, but as the matter is pending before the Hon'ble Supreme Court in SLP, no further action can be taken in the matter. Learned Counsel for the petitioner submitted that now the matter stands decided by Hon'ble Supreme Court of India as the SLP stands dismissed by Hon'ble Supreme Court and so also was the fate of the review petition. Accordingly, he submitted that this petition be disposed of by directing the respondents to confer same benefits upon the petitioner as have been granted to Sant Ram by the Court.

4. I have heard learned counsel for the petitioner, learned Additional Advocate General and learned counsel for respondent No.4 and have also carefully gone through the pleadings as well as documents appended therewith.

5. The petitioner herein is seeking a mandamus to the respondents for regularization of his contractual service on the post



of Data Entry Operator upon completion of six years, in terms of the averments made in the writ petition.

6. It is a matter of record that earlier also, the petitioner had approached this Court and the petition was disposed of with the direction that let the representation of the petitioner be decided by the Authority concerned. It is further a matter of record that in the course of deciding the said representation of the petitioner, which was decided vide Annexure P-9, dated 03.10.2024, the following was observed by the Authority that the case of the petitioner was no different than Sant Ram's case.

7. Thus, it is evident from the decision of the competent Authority that it stood admitted by the Department that the case of the petitioner was not different from that of Sant Ram. That being the case, now the respondent-Department cannot be allowed to take the plea that the case of the petitioner is fundamentally different from that of Sant Ram, as is the stand taken in the reply, which is hereby rejected.

8. Therefore, in light of the fact that in terms of the earlier order dated 3.10.2024, passed by the competent Authority, the action in the case of the petitioner was deferred on account of the pendency of the matter before the Hon'ble Supreme Court in Sant



Ram's case (supra) and now as that issue has attained finality, this petition is allowed and respondents are directed to confer benefits upon the petitioner by treating the directions passed in Sant Ram's case as having been passed in the case of the petitioner also. The contractual services of the petitioner shall be regularized from due date, notional and actual benefits shall accrue, three years preceding the date of filing of the first writ petition by the petitioner. Let needful be done, within a period of three months from today.

9. The petition is disposed of in above terms. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

March 25, 2026
(*narender*)