

**State of Himachal Pradesh and others Vs.  
Roshan Lal**

**Item No. (S-6)**

**CMP(M) No.558 of 2026**

**06.05.2026**

**Present:** Mr. Gobind Korla, Additional Advocate General, for the appellants-State.

**CMP (M) No.558 of 2026**

Keeping in view the averments made in the application, duly supported by the affidavit of the official, delay of 58 days in filing the appeal is condoned.

**2.** The application stands disposed off accordingly.

**LPA No.261 of 2026 and CMP No. of 2026**

**3.** It is submitted that the order dated 09.08.2004 **(Annexure P-10)** was passed thereby declining the case of the workman who was seeking regularization from the year 1994. The said order was never subject matter of challenge in any proceedings and after a period of four years, the Execution Petition (T) No.123 of 2008 was filed which was decided on 24.07.2012 **(Annexure P-9)**, seeking execution of the earlier order dated 22.06.2004 **(Annexure P-6)**, whereby the Original Application was to be treated as a representation. Thereafter he filed a CWP No.570 of 2013 which was transferred and registered as TA No.2835 of 2015 and the directions were issued on 05.05.2016 by the Tribunal that the services of the applicant may be counted for the

purpose of seniority as held vide reference award dated 16.08.2001, passed by the Labour Court, Shimla and the benefits were awarded accordingly.

4. It is submitted that thereafter, the impugned order dated 07.10.2016 (**Annexure P-14**) was passed by rejecting his case and no effort as such was made to challenge the same and only the representation was then filed on 01.03.2019 (**Annexure P-15**) which was decided on 14.08.2019 (**Annexure P-16**) which led to the filing of the Civil Writ Petition in the year 2024. It is thus submitted that this aspect was not noticed by the learned Single Judge while granting the relief.

5. Issue notice to the respondent, on taking steps within one week, returnable within four weeks.

6. Till further orders, the operation of the impugned judgment shall remain stayed.

7. Accordingly, the proceedings are deferred for **01.07.2026**.

**(G.S. Sandhawalia)**  
Chief Justice

**(Bipin C. Negi)**  
Judge

**6<sup>th</sup> May, 2026**  
(Munish Thakur)