

Kamla Devi vs. State of H.P. & Ors.

CWP-5502 of 2023

21.11.2024 Present : Mr. C.S. Thakur, Advocate, for the petitioner.

Ms. Leena Guleria, Deputy Advocate General, for respondent-State.

Learned counsel for petitioner submits that petitioner was appointed as Water Carrier on 02.10.1997. Her services were regularized on 19.10.2016. Petitioner seeks regularization w.e.f. October, 2005. Relief has been prayed on the strength of decision rendered in **CWP No.5383 of 2014 (Batti Devi & Ors. vs. State of H.P. & Ors. along with connected matters)** decided on 09.04.2015.

2. Noticeably in the aforesaid case of Batti Devi (*supra*), the petitioner therein had also been appointed as Water Carrier on Part-Time basis with the respondent-Higher Education Department in the year 1997. The Department conferred daily wage status upon them on 16.12.2012. The Hon'ble Division Bench held that the petitioners therein shall be deemed to have been conferred daily wage status w.e.f. 2007 and thereafter, their cases were to be considered for regularization as per policy formulated by the State Government.

3. The reply filed by respondent No.1 through respondent No.2 does not respond to the petitioner's above

contention.

Let learned Deputy Advocate General to have instructions, as to whether the case of the petitioner is covered by the decision rendered in Batti Devi (*supra*) and whether the aforesaid decision has been implemented by the respondents and also as to why petitioner has not been given similar treatment as given to Batti Devi (*supra*).

List tomorrow.

Jyotsna Rewal Dua
Judge

21th November, 2024
(Pardeep)