

Item No. D-21 Court on its own motion Vs. State of H.P. & others.

CWPIL No. 46 of 2023

06.01.2026. Present: Mr. Neeraj Gupta, Senior Advocate with Mr. Ajeet Pal Singh Jaswal, Advocate as Amicus Curiae.

Mr. Anup Rattan, Advocate General with Ms. Priyanka Chauhan, Deputy Advocate General, for the respondents-State.

Mr. Devesh Kumar, Principal Secretary (Finance), is present in person with Mr. Shrawan Dogra, Senior Advocate with Mr. Rajv Rai, Advocate.

The affidavit dated 05.01.2026 has been filed on behalf of Mr. Devesh Kumar, Principal Secretary (Finance) to the Government of Himachal Pradesh, who is also present in person and now represented by Mr. Shrawan Dogra, Senior Advocate.

2. Vide Corrigendum dated 17.12.2025, Notification dated 14.05.2025 has been modified to the extent that in para-5 of the aforesaid Notification, the words *“This would be admissible with effect from the date of issuance of the notification”* would be replaced by the words *“This will be admissible with effect from 01.09.2021”*.

3. Similarly, vide communication addressed to the Registrar General, dated 18.12.2025, it has been mentioned that the revised rates on account of Domestic Help to the retired Chief Justice and Judges, including

spouse have been made payable w.e.f. 01.09.2021 and request on the administrative side has been made to provide details relating to Head of Account/SOE etc. alongwith details relating to amount required to be provided for payment of arrears in this regard.

4. Needful be accordingly done by the Registrar General within a period of one week from today and necessary payments then accordingly be disbursed in the said accounts.

5. As per the affidavit, the additional amount of Rs.354.00 lacs (rupees three crores fifty four lakhs only), has been provided, subject to regularization through Supplementary Demands for Grants for the financial year 2025-26. Justification is accordingly given that there is no deliberate and intentional delay of compliance.

6. The necessary affidavit of the Registrar General alongwith documents has been placed on record showing that 29 proposals were not settled by the State Government and the Proposals at Sr. Nos. 185 to 224, i.e. 39 proposals were returned for want of additional information/better justification. It is also mentioned that the creation of various categories of posts on the establishment of this Court have not been included in the affidavit filed by the State Government.

7. Copy of the said affidavit alongwith the documents be supplied to the learned Counsel for the parties.

8. It has also further been pointed out that necessary affidavit has been filed on behalf of the Secretary (Home) to the Government of Himachal Pradesh with advance copy of the same to the learned Amicus Curiae. Office to trace and place the same on record, after removal of objection(s), if any.

To come up for consideration on
10.03.2026.

(G.S. Sandhwalia)
Chief Justice.

(Jiya Lal Bhardwaj)
Judge

January 06, 2026
(hemlata)