



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

2025:HHC:21547-DB

CWP No.1110 of 2021

Decided on: 7th July, 2025

Geeta Devi

.....Petitioner

Versus

State of H.P. and others

.....Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Manohar Lal Sharma, Advocate.

For the Respondents: Mr. L.N. Sharma, Additional Advocate
General, for respondents No.1 and 3.

Mr. Mukul Sood, Advocate, for
respondent No.2.

Jyotsna Rewal Dua, Judge

CMP No.15007 of 2025

Allowed and disposed of.

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2. With the consent of learned counsel for the parties, the matter is heard at this stage.

3. This writ petition has been filed for the grant of following substantive reliefs:-

“(i). That the instructions dated 11.04.2018 and office order dated 08.09.2020 may kindly be held illegal and may

¹ Whether reporters of print and electronic media may be allowed to see the order? Yes.



be quashed and set aside in the interest of justice and fair play as the same are contrary to law.

- (ii). *That the writ in the nature of mandamus may very kindly be issued by directing the respondents to regularize the services of the husband of the petitioner immediate after the completion of 8 years of continuous service, with effect from due date, i.e., on 01.01.2002, as per the policy of the State Government with all consequential benefits including retiral benefits i.e. pension, gratuity, leave encashment etc. etc., keeping in view the judgment passed by the Hon'ble High Court in LPA No.44/2015 titled as Municipal Corporation Shimla and others versus Mathu Ram dated on 13.10.2015, affirmed by the Hon'ble Supreme Court.*
- (iii). *That the respondents may further be directed to give the all consequential benefits including monetary benefits in favour of the petitioner with effect from 01.01.2002 till the date of actual realization with interest @ 18% per annum."*

4. Learned counsel for the petitioner submits that the respondents had rejected the case of regularization of petitioner's late husband on completion of 08 years of continuous service vide order dated 08.09.2020 (Annexure P-7). The said rejection was primarily on the ground that the judgment in *Mathu Ram Vs. Municipal Corporation & Others*² was *per incuriam* and not attracted to petitioner's case. Learned counsel also submitted that the decision in *Mathu Ram*² was not *per incuriam*. Learned counsel further submitted that the petitioner in this petition would confine her grievance in respect of conferment of work charge status upon her late husband in light of law laid down in

The State of Himachal Pradesh & Ors. Versus

² CWP No.2415 of 2012, decided on 31.07.2014



Surajmani & Anr.³. Learned counsel submits that the petitioner would be satisfied in case the respondents are directed to examine her case in light of the aforesaid judgment within a fixed time schedule. Learned counsel appearing for the respondents are not averse to this prayer.

5. Having regard to the afore-submissions, but without examining the merits of the matter and notwithstanding the order dated 08.09.2020 (Annexure P-7), this writ petition is disposed of with direction to the respondents/competent authority to consider and decide the case of the petitioner in accordance with law laid down in **Surajmani**³ and pass appropriate order in accordance with law within six weeks from today. Copy of the order so passed, be also communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

July 07, 2025
Mukesh

Jyotsna Rewal Dua
Judge

³ Civil Appeal No.1595 of 2025, decided alongwith connected civil appeals on 06.02.2025