



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.11081 of 2025

Decided on: 10.07.2025

Sunil Kumar

...Petitioner

Versus

State of H.P. & Anr.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?*

For the petitioner: Mr. Arun Kaushal, Advocate.

For the respondents: Mr. Rajan Kahol, Additional
Advocate General.

Notice. Mr. Rajan Kahol, learned Additional
Advocate General, appears and waives service of notice on
behalf of the respondents.

2. This writ petition has been filed for grant of
following substantive relief:-

*“(a) This Hon’ble Court may kindly be pleased to
direct the respondents by way of issuance of
Writ of Mandamus to consider the petitioner as
having been appointed against the post of JBT
pursuant to office order dated 18.02.2019 on
regular basis for all intents and purpose and
further this Hon’ble Court may be pleased to*

¹ *Whether reporters of Local Papers may be allowed to see the judgment? yes*



issue a Writ of Certiorari quashing the word 'contract' from the appointment letter and granting him regularization from the date of his initial appointment i.e. 18.02.2019.

- b. This Hon'ble Court may further be pleased to issue a Writ of Mandamus directing the respondent State to pay to the petitioner all the emoluments as he is entitled at par with regular employee in the establishment of respondent department w.e.f. 18.02.2019 with all consequential benefits including counting the period for the purpose of seniority etc."*

3. According to the petitioner, the legal issue involved in the case has already been adjudicated upon. The grievance of the petitioner is that his representation dated 20.08.2024 (Annexure P-2) , has still not been decided by the respondents/competent authority.

4. Once the legal principle involved in the adjudication of present petition has already been decided, it is expected from the welfare State to consider and decide the representation of the aggrieved employee within a reasonable time and not to sit over the same indefinitely compelling the employee to come to the Court for redressal of his grievances. This is also the purport and object of the Litigation Policy of the State. Not taking decision on the representation for months together would not only give rise to unnecessary



multiplication of the litigation, but would also bring in otherwise avoidable increase to the Court docket on unproductive government induced litigation.

5. In view of the above, this writ petition is disposed of by directing the respondents/competent authority to consider and decide the aforesaid representation of the petitioner in accordance with law within a period of six weeks from today. The order so passed be also communicated to the petitioner.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

July 10, 2025
(*R.Atal*)