



Kavita Behal versus State of Himachal Pradesh and others

CWPOA No.7478 of 2019

15.10.2025 Present: Ms. Sakshi Thakur, Advocate, vice Mr. Vivek Singh Attri, Advocate, for the petitioner.

Mr. Sumit Sharma, Deputy Advocate General, for the respondents-State.

CMP-T No.553 of 2025

Heard.

Instant application has been filed by the applicant for early hearing, which is supported by affidavit. Application is not opposed. In view of the exigencies mentioned in the application, the same is allowed.

Application stands disposed of.

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2. Grievance of the petitioner is that he being eligible was interviewed for the post of Vidya Upasak in Rajgarh Sub Division, District Sirmour on 20.06.2000. Despite being meritorious, resultant appointment was denied. Feeling aggrieved, petitioner filed an Original Application before the State Administrative



Tribunal and after abolition of Tribunal, the matter was converted as CWP-T No. 2 of 2009 and was transferred to this Court and decided on 26.10.2010. A Coordinate Bench of this Court decided the CWP-T No.2 of 2009 on 26.10.2010, with the findings recorded in Paras 7 and 8 [*Annexure P-1*] that mistake in not appointing the petitioner was attributable to the State and the he was found to be more meritorious. Based on these findings, direction was issued to the Respondents-State Authorities to give appointment to the petitioner for the post in question within three months with all benefits to which the petitioner is entitled were directed to be disbursed in accordance with law.

3. Pursuant to orders dated 26.10.2010 and the directions of the Government to implement the orders of this Court, the petitioner was appointed and she joined as Vidya Upasak on 6.5.2011, in Government Primary School, Dudham Matiyana (Rajgarh). Despite joining, the petitioner has filed a **LPA No.294 of 2011**, which was disposed of on 10.06.2013, with the directions



that since the petitioner has been appointed as Vidya Upasak, she may file a fresh petition for redressal of her surviving grievance. Notably, the petitioner in terms of the orders dated 10.06.2013 in **LPA No. 294 of 2011**, filed a fresh petition i.e. **CWP No.7987 of 2013** which was dismissed by this Court on 3.10.2013. Thereafter, the petitioner filed Execution Petition No. 8 of 2014, which was disposed of on 31.05.2014 and then filed Contempt Petition No.547 of 2015, which was disposed of on 09.03.2016 by this Court.

4. Material on record indicates that the Respondent-Director of Elementary Education, Himachal Pradesh had passed a speaking order dated **10.11.2015 [Annexure P-2]**, rejecting the claim of the petitioner for grant of seniority as claimed from the year 2000 and other benefits.

5. Heard for some time.

6. At this stage, Learned Counsel for the petitioner prays for four weeks time to amend the petition assailing the rejection orders dated 10.11.2015 [Annexure P-2]. In these



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circumstances, the matter is adjourned, so as to enable the learned counsel for the petitioner to take steps for amending the petition.

As prayed for, list the matter after four weeks.

15th October, 2025
(himani)

(Ranjan Sharma)
Judge