

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.10916 of 2024

Date of Decision: 04.07.2025

Narender Sharma & anotherPetitioners

Versus

The State of Himachal Pradesh and another ... Respondents

Coram:

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioner: Mr. Onkar Jairath, Mr. Anshul Jairath and Mr. Piyush Mehta, Advocates.

For the Respondents: Mr. Rajan Kahol and Mr. B.C.Verma, Additional Advocate Generals and Mr. Ravi Chauhan, Deputy Advocate General.

Sandeep Sharma, Judge(oral):

By way of instant petition, petitioners have prayed for following main reliefs:-

“(i) That this Hon'ble Court may be pleased to issue the writ in the nature of Certiorari or any other appropriate writ order or direction quashing and setting aside the impugned action of the respondents, whereby the regularization of the petitioners has been delayed unnecessarily and has been regularized on and w.e.f. order dated 13.04.2022 instead from October 2021, when the petitioners completed their two years service on contractual basis being patently illegal, arbitrary and unconstitutional besides the same being in violation to the settled law of the land;

(ii) That this Hon'ble Court may be pleased to issue the writ in the nature of mandamus, order or directions directing the respondents to regularize the services of the petitioners w.e.f. October 2021,

¹ Whether the reporters of the local papers may be allowed to see the judgment?

when the petitioners completed his two years service on contractual basis i.e. from the date the regularization policy was liberalized alongwith all consequential benefits, including the benefit of Himachal Pradesh Civil Services (Revised pay) Rules, 2022 keeping in view the fact that the petitioner has completed two years of contract service in the month of October, 2021 i.e. prior to 03.01.2022 as per the regularization policy dated 28.12.2021 and the petitioners be accorded the benefit of Himachal Pradesh Civil Services (Revised Pay) Rules, 2022 after taking into account the services rendered by him on contract basis as having been appointed prior to 03.01.2022, as has been approved by the Cabinet on 14.10.2022;

(iii) That this Hon'ble Court may be pleased to issue the writ in the nature of mandamus directing the respondents to Grant Higher Stage of Pay in the concerned level of pay matrix i.e. Rs. 31200/- and fix his pay from due date i.e. after completion two years of regular service with all consequential benefits including the arrears alongwith interest @ 9%."

2. Before the case at hand could be heard and decided on its own merit, learned counsel representing the petitioners, on instructions, states that the petitioners' case is squarely covered by the judgment dated 29.11.2024 passed by Co-ordinate Bench of this Court in CWP No.1638 of 2024, titled **Mohit Sharma and another vs. State of Himachal Pradesh and others** and as such, they would be content and satisfied in case directions are issued to the respondents to consider and decide the representation (Annexure P-10) having been filed by the petitioners, in a time bound manner.

3. Mr. Rajan Kahol, learned Additional Advocate General, while putting appearance on behalf of the respondents, fairly states

that he is not averse to aforesaid innocuous prayer made on behalf of the petitioners.

4. Consequently, in view of the above, this Court without going into the merits of the case deems it fit to dispose of the present petition with a direction to the respondents to consider and decide the pending representation (Annexure P-10) of the petitioners expeditiously, preferably within a period of six weeks in light of ***Mohit Sharma case (supra)***. Ordered accordingly. Needless to say, authority concerned, while doing the needful in terms of instant order, shall afford an opportunity of hearing to the petitioners and pass a speaking order thereupon. Liberty is reserved to the petitioners to file appropriate proceedings in appropriate court of law, if they still remain aggrieved. Pending applications, if any, also stand disposed of.

List for compliance on 22.08.2025.

**(Sandeep Sharma),
Judge**

July 04, 2025
(shankar)