

Joginder Chauhan Vs. H.P. High Court and Ors.

Item No. S-16

CWP No. 12879 of 2026

30.07.2026 Present:

Ms. Anchal Sharma, Advocate, for the petitioner.

Mr. Arsh Rattan, Deputy Advocate General, for the respondents/State.

Inter-alia contends that the petitioner was appointed as a Peon on 12.10.2007 and is being superannuated at the age of 58 years, whereas Class-IV Government servants appointed on part time/daily wage basis, who were appointed prior to 10.05.2001 and regularized after the said date, are entitled to retire at the age of 60 years in terms of Notification dated 21.02.2018 (Annexure P-4). It is submitted that the aforesaid notification was also the subject matter of **CWP No. 2274 of 2021**, titled as **Satya Devi Vs. State of Himachal Pradesh and Ors**, decided on 28.05.2024, wherein it was held that Class-IV Government servants would retire at the age of 60 years, irrespective of the date of their engagement or regularization.

It is pointed out that a similar matter is pending before a Coordinate Bench in **CWP No. 11827 of 2026**, titled as **Guddi Devi Vs. State of H.P. and Others**, which has been listed for 07.10.2026. It is further pointed out that the interim order dated 20.07.2026 passed in the said case is also in favour of the petitioner therein.

Learned Deputy Advocate General has pointed out that **Special Leave Petition (Civil) No. 20496 of 2024**, titled as

State of H.P. Vs. Satya Devi, was disposed of on 23.05.2026, while observing that the decision in the said case shall not be treated as a precedent. It is further admitted that other SLPs involving similarly situated employees are still pending before the Hon'ble Apex Court. It is also admitted that the present case is covered by the issues involved therein and by the judgment in *Satya Devi's* case (supra), interim orders are also operating.

Notice. Mr. Arsh Rattan, learned Deputy Advocate General, appears and accepts service of notice on behalf of respondent No.3/State.

To come up for the service of respondents No. 1 & 2 on **07.10.2026**, on taking steps within one week.

To be heard with CWP No. 11827 of 2026.

CMP No.19123 of 2026

In view of above, we are of the considered opinion that the petitioner is entitled to the benefit of interim order. Consequently, the petitioner shall be permitted to continue in service till attaining the age of 60 years. The application stands disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin C. Negi)
Judge

30th July, 2026
(sushma)