

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

CWP No. 14190 of 2024

Date of decision : 08.05.2026.

Yadvinder Kumar Sharma ...Petitioner.

Versus

State of H.P. & others ...Respondents.

*Coram:****The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.****Whether approved for reporting?¹*

For the petitioner : Mr. C. N. Singh, Advocate.

For the respondents : Mr. Pushpinder Jaswal, Additional Advocate General, for respondents No. 1 to 3.

Ms. Kiran Dhiman, Advocate, for respondent No.4.

Ajay Mohan Goel, Judge (Oral):

By way of this writ petition, the petitioners have inter alia prayed for the following reliefs:-

- "i) *Issue a writ of mandamus or other appropriate writ order or direction, directing the respondent department (respondent No.4) to consider the case of the petitioner for grant of work charge status/regularization after completion of nine years of daily wage service i.e. w.e.f. 01.01.1999 with all consequential benefits.*
- ii) *Issue a writ of mandamus or other appropriate writ order or direction, directing the respondent department to re-fix the pay of the petitioner and*

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



release the entire arrear in favour of the petitioner along with 12% interest.

- iii) *In alternatively issue a writ of mandamus or other appropriate writ or direction by directing the respondents department to regularize the service of the petitioner from the date of regularization of her junior i.e. Lalita Sharma, Suman Dutta, Jai Devi, Tota Ram etc. with all consequential benefits and re-fix the pay as well as retiral benefits of the petitioner such as pension, gratuity, leave encashment etc. of the petitioner accordingly and eligible benefits may also be ordered to be released in favour of the petitioner within time bound manner along with 12% interest.”*

2. When this case was taken up for consideration today, learned counsel for the petitioners submits that the present petition is now squarely covered by the judgment of the Hon'ble Coordinate Bench in CWP No.11141 of 2024, titled Urmila Devi versus State of Himachal Pradesh and others, decided on 17.07.2025.

3. Learned counsel for the respondents could not dispute this fact, but they submit that any order that may be passed by this Court be subject to the legal rights of the respondents to assail the same. Ordered accordingly.

4. This petition is disposed of with the direction that the present petition is also disposed of in light of the judgment of the Hon'ble Coordinate Bench in CWP No.11141 of 2024, titled Urmila



Devi versus State of Himachal Pradesh and others (supra) and the findings returned therein shall *mutatis mutandis* apply to the present petition also. The petitioners shall be conferred work charge status upon completion of 9 year of daily wage service and regularization shall be as from the date when persons junior to them were regularized i.e., w.e.f. 01.01.1999. This shall be with all consequential benefits, but with the condition that the petitioners shall be entitled to notional benefits only from the said date and actual financial benefits shall be fall upon the petitioners from the date of filing of the petition.

5. This Court is consciously passing the the order granting the actual financial benefits as from the date of filing of the petition, rather than three years prior to the filing of the petition, which was earlier done by this Court, as in the peculiar facts of this case, as the petitioners themselves have been quite late after relief was granted to their counterpart in the year 2024 in approaching the Court, therefore, interest of justice shall be served by granting them the actual monetary benefits only from the date of filing of the petition.

5. Pending miscellaneous application(s) if any also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

8th May, 2026.
(kck)