

Satpal & others vs. State of HP & others

LPA No. 637 of 2025

Item No. D-35

17.11.2025

Present: Mr. Nishat Khidta, Advocate, for the appellants.

Mr. Arsh Rattan, Deputy Advocate General, for respondent No. 1-State.

Inter-alia contends that the appellants have worked for a long period of 17 years from 1998 to 2015. It is further submitted that they had approached this Court for their decision on the representation of regularization by referring to order dated 18.09.2012. The said order was also subject matter of the challenge by the respondents and the appeal was dismissed on 23.07.2013. The consideration was not done and directions were issued on 28.10.2015, leading to rejection of the representation on 17.12.2015 (Annexure P-4). The services were dispensed with, thereafter, leading to the reference being drawn up which was later on declined by Labour Court on 31.07.2018, on the ground that case of petitioners falls within the exception as provided under Section 2(oo)(bb) of the Industrial Disputes Act, 1947 but unfair labour practices adopted by the State was not taken into consideration. The learned Single Judge should have heard the issue on merits, since the appellants are poor

class-IV employees stationed at Sirmour, which is at a considerable distance from Shimla. Further it is submitted that the relief could have been moulded for the delay in approaching the writ Court after the award was passed and the appellants are liable to be granted compensation for the services rendered.

Let notice be issued to respondents No. 2 & 3, returnable for 29.12.2025, on taking steps within a week.

(G.S. Sandhawalia)
Chief Justice

17th November, 2025
(Anurag)

(Jiya Lal Bhardwaj)
Judge