



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.14406 of 2025

Decided on: 17th October, 2025

Desh Raj

.....Petitioner

Versus

Union of India and others

.....Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Lalit Kumar Sharma, Advocate.

For the Respondents: Mr. Balram Sharma, DSGI with Mr. Rajeev Sharma, Advocate.

Jyotsna Rewal Dua, Judge

With the consent of learned counsel for the parties, matter is heard at this stage.

2. This writ petition has been filed for the grant of following substantive reliefs:-

“(i). That the impugned employment notice dated 26.08.2025 Annexure P8 whereby the respondent no. 3 is going to fill up the post of Dental Technician at Bilaspur, ECHS Polyclinic which is already occupied by the petitioner since 01.08.2014 till date by another set of contractual appointee may kindly be set aside and quashed.

(ii) That respondents may kindly be directed to permit the petitioner to discharge his duty as Dental Technician at ECHS Polyclinic Bilaspur till the disposal of the SLP(c) 36359/2016 titled Sonu Kumar

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.



vs. UOI and other which is pending adjudication before the Apex Court.

(iii) That the impugned Annexure P8 qua the post of Dental Technician at ECHS Polyclinic Bilaspur being contrary to judgment dated 15/05/2025 passed by this Hon'ble Court in CWP 3260/2016 and connected matters may kindly be set aside and quashed."

3. The gist of petitioner's case and the issues involved were noticed in the following order passed on 08.09.2025, whereby interim relief was granted to the petitioner:-

"Notice. Mr. Balram Sharma, learned Deputy Solicitor General of India, appears and waives service of notice on behalf of the respondents.

2. Petitioner is presently serving as Dental Technician at ECHS Polyclinic Bilaspur, District Bilaspur, H.P., where he had joined on 01.08.2014. His grievance is to Annexure P8, whereby the respondents have issued employment notice for filling up certain posts at ECHS Polyclinics Bilaspur, District Bilaspur on contract basis for a period of one year/renewable for further period of one year. Post of Dental Technician held by the petitioner is also part of aforesaid employment notice.

3. Learned counsel for the parties submit that similar issue, as is involved in the instant petition, is pending before the Hon'ble Apex Court in SLP(C) No.36359 of 2016; That various similar matters have been disposed of by this Court by directing that such petitions would abide by the decision of SLP(C) No.36359 of 2016; That in most of such matters, there is interim protection in favour of the similarly situated petitioners.

4. In view of above, respondents shall maintain status quo qua the petitioner and the respondents shall not proceed ahead in filling up the post held by the petitioner under employment notice Annexure P-8, till further orders.

Reply be filed within 10 days, as prayed for.



List thereafter.”

4. Respondents have not filed reply, however it is an admitted position that petitioner was manning the post in question on contractual basis, when the said post was advertised by the respondents afresh to be filled up again on contractual basis. Respondents have also not disputed that the issue involved in the instant petition, is pending before the Hon’ble Apex Court in Special Leave Petition(C) No. 36359/2016 (Sonu Kumar Vs UOI), wherein interim protection has been granted in favour of the petitioner therein, who was similarly situated to the present petitioner.

5. In view of above, this writ petition is disposed of with direction that petitioner’s continuation on the post in question shall abide by the result of the aforesaid Special Leave Petition. Pending miscellaneous application(s), if any, shall also stand disposed of.

October 17, 2025
yogesh

Jyotsna Rewal Dua
Judge