

Item No. D-2

State of HP & others Vs. Rakesh Kumar

LPA No. 323 of 2025.

04.07.2025 Present: Mr. Sidharth Jalta, Deputy Advocate General, for the applicants.

CMP (M) No. 2042 of 2025

Keeping in view the averments made in the application duly supported by an affidavit, we are of the opinion that sufficient cause has been made out to condone the delay. Therefore, the delay of 53 days in filing the appeal is condoned. The application stands disposed of.

LPA No. 323 of 2025.

Though, initially we were inclined to dismiss the Letters Patent Appeal filed by the State when it came up on 19.06.2025, but keeping in view the fact that the learned Single Judge has granted consequential benefits, including seniority, pay fixation and pensionary benefits while directing the regularization, the order would require modification, in view of the judgment passed by the Apex Court in ***Civil Appeal No. 1595 of 2025, titled The State of Himachal Pradesh and others vs. Surajmani and another***, decided on 06.02.2025, which order was passed subsequently to the order passed by the learned Single Judge.

Accordingly, let notice be issued to the respondent returnable within four weeks, on taking steps within one week.

List the matter on **18.08.2025.**

CMP No. 14516 of 2025

Operation of the impugned judgment dated 08.07.2024, passed by the learned Single Judge in CWP No. 2270 of 2024 is stayed to the extent of the benefit beyond the orders passed by the Apex Court in ***Suraj Mani's*** case, (*supra*). The application stands disposed of.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

July 04, 2025
(hemlata)