

**Shiv Kumar Vs State of H.P & ors.**

**LPA No.765 of 2025**

[Item D-1]  
11.11.2025

Present: Mr. Nishant Khidta, Advocate, for the petitioner.

Mr. Pranay Partap Singh, Additional Advocate  
General, for the respondents-State.

A perusal of the paper book would go on to show that the stand of the State is that the appellant is a fire watcher in a seasonal capacity for short durations and never on the rolls of the department as a daily wager or a contractual employee and had been working on a bill quotation basis.

Learned Single Judge recorded a finding that thousands and lacs have been paid on the basis of bills but apparently the person is not an employee as there is no regular monthly payment.

We have also perused the photocopies of the Annexures filed by the State Counsel, which would go on to show that apparently there is mention of the name of the bidder and apart from the petitioner, there are documents of Umesh Kumar and Samshad. A perusal of the same would go on to show that the amounts have been awarded on a large number of digging of pits and planting of trees in the 'Kiaries' of the plants. The stand of the State is not that the appellant is a contractor and the amounts were being paid to him to engage other labour.

We are quite surprised that large amounts are being doled out to individuals. Reply filed before the learned Single

Judge does not redress the issue. Our concern is apparent since even in some writ petitions, which have been allowed and Letters Patent Appeal have been filed against the impugned judgments have also been dismissed upholding the orders of the learned Single Judge ordering regularization also on account of the fact that bill basis as such is just a nomenclature by the Forest Department to avoid the benefit in view of the own policy of regularisation of the State.

The matter needs closer scrutiny. Resultantly, we direct respondent No.2 to file his personal affidavit clarifying in what circumstances such payments have been made to the individuals.

List on 16.12.2025.

**(G.S. Sandhawalia)**  
**Chief Justice**

**(Jiya Lal Bhardwaj)**  
**Judge**

November 11, 2025 (*mamta*)