

**Dr. Manish Goyal Vs. State of Himachal Pradesh & Ors.**

**CWP No.16067 of 2025**

**13.10.2025** Present: Mr. C.N.Singh & Mr. Anshul Gandhi, Advocates, for the petitioner.

Mr. Anup Rattan, Advocate General, Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General with Mr. Ravi Chauhan & Mr. Anish Banshtu, Deputy Advocates General, for the respondents-State.

Notice. Mr. Vishal Panwar, learned Additional Advocate General, appears and accepts service of notice on behalf of respondents. He prays for and is granted two weeks' time to file reply.

Precisely, the grouse of the petitioner, as has been highlighted in the petition and further canvassed by Mr. C.N. Singh, learned counsel representing the petitioner, is that though in terms of notification dated 10.04.2025 (Annexure P-12) issued by the Special Secretary (Health) to the Government of Himachal Pradesh, petitioner herein, being Senior Resident in the Department of Dentistry at Dr. Yashwant Singh Parmar, Government Medical College Nahan, District Sirmaur, Himachal Pradesh, is entitled to revised stipend to the tune of Rs.1,00,000/-, but for no cogent and convincing reason, he has been denied such benefit, in terms of aforesaid communication on the ground that his initial appointment made in the year 2016 was on contract basis, whereas other doctors, who are being given benefit of aforesaid notification,

were appointed after following due procedure of law as well as Resident Policy.

Though prior to filing of the petition at hand, petitioner had approached this Court by way of CWP No.12905 of 2025, titled as ***Dr. Manish Goyal Vs. State of Himachal Pradesh***, but this Court disposed of the afore petition with a direction to the respondents to consider and decide the representation dated 29.04.2025 of the petitioner, having taken note of the fact that similarly situate persons have already been granted benefit of notification dated 10.04.2025, but vide order dated 20.09.2025 (Annexure P-17), representation filed by the petitioner has been rejected on the ground that his initial appointment was made on contract basis, as such, he is not entitled to benefit, in terms of notification dated 10.04.2025.

Careful perusal of notification dated 10.04.2025 (Annexure P-12) clearly reveals that revised stipend shall be given to the Residents, Tutor Specialists, DNB Super Specialists, Senior Residents and doctors, who are working in the Department of Medical Education and Research with immediate effect. Bare perusal of afore communication does not suggest that it makes any distinction between doctors appointed in the year 2023 and 2016 as is sought to be carved out by the respondents, while passing impugned order in the instant proceedings.

In view of the above, this Court sees no impediment in staying the operation of order datd 20.09.2025 and according, order that no recovery, if any, shall be effected on account of excess payment, if any, made to the petitioner as stipend till further orders.

While filing reply, respondents may specifically take note of judgment passed by Hon'ble Apex Court in SLP(C) No.1347 of 2024, titled as **Shah Samir Bharatbhai & Ors. Vs. State of Gujarat & Ors.**, along with connected matters, wherein it has been held as under:

*“31. The appellants were seeking parity of pay. The prayer for regularization, though made in the earlier rounds of litigation was never accepted. The facts of the present case are rather egregious. Assistant professors appointed on contractual basis during 2011 to 2025 have been working at abysmally low monthly emoluments for the last two decades. While there is no material whatsoever drawing out a distinction between the duties and functions performed by them and that of their colleagues appointed regularly or on ad hor basis, they continue to draw monthly salary of Rs. 30,000/-.”*

**October 13, 2025**  
(*sunil*)

**(Sandeep Sharma),**  
**Judge**