



IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA

CWP No.1388 of 2025

Decided on: 07.07.2025

Dalip Kumar

Petitioner

Versus

State of H.P. & Ors.

...Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

¹ *Whether approved for reporting?*

For the petitioner:

Mr. Mukul Sood, Advocate .

For the respondents:

Mr. Rajat Chaudhary, Assistant
Advocate General.

Jyotsna Rewal Dua, Judge

Even though the respondents have not filed reply,
however, with the consent of learned counsel for the parties,
matter is heard at this stage.

2. Substantive reliefs prayed for by the petitioners
read as under:-

“a. A writ in nature of mandamus may kindly be issued
directing the respondents to grant service benefit to
the petitioners for the period of contractual service
rendered by the petitioners and the said period be

¹ *Whether reporters of Local Papers may be allowed to see the judgment? yes*



counted for the purpose of granting of annual yearly increments as well as towards pensionary benefits with all consequential benefits.

- b. *A writ in nature of mandamus may kindly be issued directing the respondents department to considered the case of the petitioner for grant of service benefits to the petitioner in view of the judgment dated 01.04.2024 passed in CWPOA No. 78 of 2020 titled as Mool Raj and Others Vs State of H.P. CWP 2411 of 2019 titled as Jagdish Chand versus State of HP and others and the arrear accrued thereon be paid with along with interest from the date of accrual till the date of realization in the interest of justice and fair play.”*

3. Learned counsel for the petitioner submits that he is under instructions to press this writ petition only for counting of contractual service rendered by the petitioner following by his regularization for the purpose of pension in light of law laid down in **State of Himachal Pradesh & Anr. Vs. Sheela Devi²**; Petitioner be permitted to seek appropriate remedy at an appropriate stage in accordance with law for redressal of his remaining grievances highlighted in the writ petition. Prayer is not objected to by the learned Assistant Advocate General.

4. In view of above, this writ petition has been

² SLP(C) 10399 of 2020 decided on 07.08.2023



considered only for counting contractual service of the petitioner followed by regularization for the purpose of pension. Petitioner shall be at liberty to seek appropriate remedy in accordance with law at an appropriate stage for redressal of his remaining grievance.

Learned counsel for the petitioner submits that petitioner's case for counting contractual service following by his regularization as qualifying service for the purpose of pensionary benefit is covered in light of *Sheela Devi*². Learned counsel further submits that petitioner would be content if the case of the petitioner is considered by the respondents/competent authority in light of the aforesaid decisions. Learned Assistant Advocate General is not averse to this prayer.

5. Having regard to above submissions, but without going into the merits of the case, this petition is disposed of by directing the respondents/competent authority to consider the case of the petitioner in light of decision rendered in *Sheela Devi*² and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of copy of this order. The decision so arrived at, shall also be



communicated to the petitioner.

Pending miscellaneous application(s), if any, also
to stand disposed of.

July 7, 2025
R.Atal

Jyotsna Rewal Dua
Judge