



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

2024:HHC:16807

CWP No. 16577 of 2024
Decided on: 31.12.2024

Meena Kumari	...	Petitioner
Versus		
State of Himachal Pradesh & others	...	Respondents

Coram**Hon'ble Mr. Justice Ajay Mohan Goel, Judge.****Whether approved for reporting?¹**

For the petitioner	:	Ms. Prajwal Busta, Advocate.
For the respondents	:	Mr. Pushpinder Jaswal, Additional Advocate General.

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Ajay Mohan Goel, Judge (Oral)

Notice. Mr. Pushpinder Jaswal, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. By way of petition, the petitioner has prayed for the following reliefs:-

"i) Issue a writ of mandamus to condone the delay period in joining the services of Petitioner on contract basis and further the same be treated deemed to have yome on contract basis as on 29.09.2014 with all consequential benefits.

ii) Issue a writ of mandamus to direct the respondents to regularize services of petitioner w.e.f. 30.09.2020 for all reprintent and purposes including seniority etc. along-with consequential benefits.

iii) Issue an appropriate writ, order or direction to the Respondents to fix pay of Petitioner accordingly to increase pay scale, grant seniority and to calculate & pay the arrears consequent upon the regularization of service w.e.f 30.09.2020."

3. Learned counsel for the petitioner points out that the

¹ Whether reporters of the local papers may be allowed to see the judgment?



issue raised by the petitioner is squarely covered by judgment dated 28.07.2022, passed by this Court in CWP No.4390 of 2021, titled as Kavita Rani & others Versus State of Himachal Pradesh & others, as well as judgment dated 19.12.2024, passed in CWP No.3677 of 2024, titled as Rajani Sharma Versus State of Himachal Pradesh and others. She submits that interest of justice would be served in case this petition is disposed of in light of the above adjudication.

4. As it is not in dispute that the issue raised in this petition is covered by the aforementioned judgments of this Court, this petition is allowed, by holding that the directions which have been issued by this Court in the aforementioned judgments, ipso facto be construed to have been issued in the present petition also. In other words, this Court condons the delay in the joining of service by the petitioner on contract basis and issues a mandamus that she should be deemed to have joined the post in issue on contract basis on 29th September, 2017, with all consequential benefits, including that of regularization also. With these directions, the writ petition stands disposed of, so also pending miscellaneous applications, if any.

(Ajay Mohan Goel)
Judge

December 31, 2024
(Rishi)