



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.18415 of 2023

Date of Decision: 27.11.2025

Rajat Kumar

.....Petitioner

Versus

State of Himachal Pradesh & Anr.

.....Respondents

Coram

**Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting?**

For the Petitioners: Mr. Devender K. Sharma, Advocate.

For the respondents: Mr. Rajan Kahol, Mr. Vishal Panwar,
Additional Advocates General with Mr. Ravi
Chauhan & Mr. Anish Banshtu, Deputy
Advocates General.

Sandeep Sharma, J. (Oral)

Notice. Mr. Vishal Panwar, learned Additional Advocate General, appears and waives service of notice on behalf of the respondents.

2. With the consent of learned counsel for the parties, the matter is heard at this stage.

3. This writ petition has been filed for the grant of following substantive relief:-

“a. That an appropriate writ, order or directions may kindly be issued, thereby directing the respondents to treat the appointment of the petitioner on regular basis from his initial appointment i.e. 29.1.2025 and the respondent department further directed to release all consequential benefits with interest from date of accrual till the date



of realization in view of judgment passed in CWP No.5090 of 2022 titled as Umesh Jaswal versus State of HP and other in the interest of justice and fair play.”

4. Learned counsel for the petitioner submits that issue raised by the petitioner and reliefs claimed herein have already been adjudicated by this Court in CWP No.4971 of 2024, titled as **Nitin Thakur Versus State of H.P. and others** alongwith connected matters, decided on 23.09.2025, which was disposed of with following operative directions:-

“89. Consequently, in view of the detailed discussion made herein above as well as law taken into consideration, present petitions are allowed and respondents are directed to regularize the contractual services of the petitioners on the post they were offered engagement in the Department of Horticulture after completion of two years contractual service in terms of regularization policy framed by the Government of Himachal Pradesh.”

5. It has been informed by learned counsel for the parties that the aforesaid judgment was assailed by the State by way of LPA No.775 of 2025, titled as **State of HP & Ors. vs. Nitin Thakur & Ors.**, wherein vide order dated 12.11.2025, the direction of regularization has been stayed by the Hon'ble Principal Division Bench, however, with the rider that the State shall not dispense with the services of the petitioners (therein) and the petitioners shall continue to serve on the same terms and conditions; That since the



writ petitioners have been paid on contractual basis, the State will be under bounden duty to pay all the said person and utilize their services; Further, it is open to the State to utilize the services of the writ petitioners/employees in any other similarly situated projects.

Operative part of order dated 12.11.2025 reads as under:-

“9. However, keeping in view the fact that the writ petitioners have been serving the State since the year 2019, we deem it appropriate that the State shall not dispense with their services and writ petitioners shall continue to serve on the same terms and conditions. Needless to say, that since writ petitioners have been paid on contractual basis, the State will be under bounden duty to pay all the said persons and utilize their services. Further, it is open to the State to utilize the services of the writ petitioners/ employees in any other similarly situated projects.”

6. Learned counsel further submits that petitioner would be satisfied in case the respondents/competent authority(s) are directed to consider the case of the petitioner in light of the aforesaid order dated 12.11.2025 passed in **Nitin Thakur** (supra). Learned Additional Advocate General has no objection to the aforesaid prayer.

7. Having regard to the afore-submissions, but without examining the merits of the matter, this writ petition is disposed of with direction to the respondents/competent authority to consider and decide the case of the petitioner in accordance with law as well as taking into consideration aforesaid order dated 12.11.2025 passed in LPA No.775 of 2025, which shall be subject to the final outcome of the



said appeal, by passing appropriate order within a period of six weeks from today. Copy of the order so passed, be also communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.

November 27, 2025
(sunil)

(Sandeep Sharma),
Judge