

SUNIL KUMAR AND OTHERS
Versus
THE STATE OF HP AND OTHERS

CWP-18213 of 2025

24.12.2025

Present: Mr. Devender K. Sharma, Advocate, vice Mr. Vinod Chauhan, Advocate, for the petitioner.

Mr. Rajan Kahol & Mr. Vishal Panwar, Additional Advocates General, with Mr. Ravi Chauhan, Deputy Advocate General, for State.

Mr. Nitin Thakur, Advocate, for respondent No.3.

Though respondent-State has filed reply, but the same is not on record. Registry to trace and place the same on record, if in order.

During proceedings of the case, Mr. Vishal Panwar, learned Additional Advocate General, while making this Court peruse letter dated 29.02.2020 issued by the Director, Technical Education, Himachal Pradesh (annexed with the reply), states that no leave shall be admissible to Government servant, who is not a permanent employee or quasi-permanent employee, in respect of the first year of his service. He further states that since petitioner is still on probation, he cannot avail any vacation, however, having carefully perused aforesaid communication, this Court is persuaded to agree with learned counsel representing the petitioner that same is not applicable in the case of petitioner, rather that is with regard to earned leave under Rule 28 of CCS (Leave) Rules, 1972.

Faced with aforesaid situation, learned Additional Advocate General prays for and is granted further four days' time to have instructions that under what provision of law, a probationer is not entitled to avail vacations, not earned leave.

List on 30.12.2025.

December 24, 2025

(Rajeev Raturi)

**(Sandeep Sharma),
Judge**