



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.18458 of 2025

Decided on: 28th November, 2025

Boby Kant & Ors.

.....**Petitioners**

Versus

State of H.P. and others

.....**Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Rajesh Kumar, Advocate.

For the Respondents: Mr. Rajat Choudhary, Assistant
Advocate General.

Jyotsna Rewal Dua, Judge

Notice. Mr. Rajat Choudhary, learned Assistant 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 reliefs:-

“i) That an appropriate writ, order or directions may kindly be issued and the respondents may kindly be directed to regularize the services of the petitioner in view of the Judgment passed by this Hon'ble Court in CWP No.

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.



4971/2024 tiled as *Nitin Thaur & others versus state of H.P. & others* alongwith connected pe-titions as they have put in more than required number of years as required under the regularization policy of the State of HP.

- ii. *That appropriate writ or directions may very kindly be issued to respondents by quashing the oral termination/disengagement of the contractual services of the petitioners w.e.f. 31-10-2024 from their respective posts and condone the break in contractual service of the petitioners till, their joining back, regularization towards continuing in service for all intents and purposes and re-fix the pay of the petitioners and pay the entire consequential benefits in favour of the petitioners with in time bound manner alongwith 12% interest.”*

4. Learned counsel for the petitioners submits that cases of the petitioners, issue raised by petitioners and reliefs claimed herein have already been adjudicated in ***Nitin Thakur Versus State of H.P. and others***², 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.”*

It has been informed by learned counsel for the parties that the aforesaid judgment was assailed by the State by way of ***State of HP & Ors. vs. Nitin Thakur & Ors.***³, wherein vide order dated 12.11.2025, the direction of

² CWP No.4971 of 2024, decided alongwith connected matters on 23.09.2025

³ LPA No.775 of 2025



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."

Learned counsel further submits that the petitioners would be satisfied in case the respondents/competent authority(s) are directed to consider the cases of the petitioners in light of the aforesaid order dated 12.11.2025 passed in **Nitin Thakur³**. Learned Assistant Advocate General has no objection to the aforesaid prayer.



5. 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 cases of the petitioners 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 petitioners.

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

November 28, 2025
Rohit

Jyotsna Rewal Dua
Judge