

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.18463of 2025
Date of Decision: 28.11.2025

Desh Raj

.....Petitioner

Versus

State of Himachal Pradesh and Ors.

.....Respondents

Coram

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

For the Petitioner: Mr. Vivek Thakur, Advocate.

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

Sandeep Sharma, J. *(Oral)*

By way of instant petition filed under Article 226 of the Constitution of India, petitioner has prayed for following main reliefs:

- i. That the impugned office orders of re-fixation [i.e. Annexure P- 3 issued by the respondent department may very kindly be quashed and set aside.
- ii. That the respondents may kindly be directed to re-fix the pay of the petitioner and to further protect the pay of the petitioner plus one increment may also be given as under FR 22 (1)(a)(i) to next stage higher than lastly drawn to the post of lecturers on promotion as Headmaster.
- iii. That the respondents may kindly be directed to provide all consequential and financial benefits to the petitioners as per the fresh fixation of pay w.e.f. from August 1.08.2023.

iv. That the respondents may kindly be directed to consider the case of the petitioner in the light of the direction passed by the Hon'ble Court in judgment dated 07.07.2022 in CWP No 842 of 2017 titled as Registrar State of HP & Ors. Vs. Sardari Lal'

2. Learned counsel for the parties are ad-idem that the issue raised in the instant petition has been settled by this court in **State of Himachal Pradesh v. Sardari Lal and Another, CWP No. 842 of 2017** and connected matters, decided on 7.7.2022, 2022 SCC OnLine HP 3612.

3. In view of aforesaid fair stand adopted by learned counsel for the parties, present petition is disposed of with a direction to the respondents to consider and decide the case of the petitioner in light of **Sardari Lal** supra, within a period of four weeks. Needless to say, authority concerned shall afford opportunity of hearing to the petitioner and pass a speaking order thereafter. Liberty is reserved to the petitioner to file appropriate proceedings in appropriate court of law, if he still remains aggrieved. All pending application(s), if any, also stands disposed of.

November 28, 2025
(manjit)

(Sandeep Sharma),
Judge