IN THE HIGH COURT OF HIMACHAL PRADESH AT SHIMLA
CWP No.3128 of 2020
Decided on 10th September 2026

Smt. Sunita Nadda and others

…Petitioners

Vs.

State of Himachal Pradesh and others

…Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Hon'ble Mr. Justice Yogesh Jaswal, Judge

[1]Whether approved for reporting?

For the petitioners	**:**	**Mr. V.S. Chauhan, Senior Advocate with Mr. V.S. Kanwar, Advocate.**
For the respondents	**:**	**Mr. Pushpinder Jaswal, Additional Advocate General, for respondents No.1 to 3.** **Respondents No.4, 5 and 28 are already *ex parte*.** **Mr. Gambhir Singh Chauhan, Advocate, vice Mr. Surender Verma, Advocate, for respondents No.6 to 27 and 29 to 31.**

Ajay Mohan Goel, Judge *(Oral)*

By way of this writ petition, the petitioners have, *inter alia*, prayed for the following reliefs:-

> *"i. That the notification dated 25.11.1998 Ann. P-1 may be declared null and void in the eyes of law as per the submissions made herein above.*
>
> *ii. That the R&P Rules Ann. P-10 framed for the post of Assistant Regional Transport Officer dated 20.6.2020 and proposed R&P rules RTO may be*

High Court of H.P.

::: Downloaded on - 09/11/2026 15:13:45 :::CIS

declared null and void in the interest of justice being ultra vires and in any case the promotion done by the department for those posts, that may be subject to the decision of the present case.

iii. That the Recruitment and Promotion Rules for the Himachal Pradesh Transport Department Class-III Service (Recruitment Promotion and Certain Conditions Of Service) Rules, 1978 be declared valid operative and applicable as on the date of appointment of the Petitioners these rules exists and has not been repealed and amended at that time and the appointment of the Petitioners has been done as per the Notification dated 9.8.1978.

iv. Issue a writ of mandamus directing the respondent authorities to create further promotional avenues for the post presently held by the present petitioner i.e. Steno typist by framing and notifying recruitment and promotion Rules or by creating such suitable post to which the petitioner can be promoted and the case may be treated as special case for the further promotion for the aforesaid post."

2. Learned Senior Counsel for the petitioners submits that in light of notification dated 18.06.2012 (Annexure RA-2) appended with the rejoinder filed by the petitioners, the petitioner would be satisfied, in case, the respondents are directed to consider their case for further promotion as per said notification.

3. We are of the considered view that it is for the petitioners to approach the Authority in this regard.

High Court of H.P.

::: Downloaded on - 09/11/2026 15:13:45 :::CIS

4. However, as a matter of indulgence, we dispose of this petition without adjudicating the issues raised therein on merit with the observation that the petitioners shall be at liberty to approach the Authority for the consideration of their case of regularization in terms of notification dated 18.06.2012. It is clarified that we are not expressing any opinion on the merit of the case either way.

5. In the event of the petitioners filing any representation before the Authority within four weeks from today, then, an endeavour be made to decide the same in accordance with law within twelve weeks from the date of the receipt thereof. Pending miscellaneous applications, if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

(Yogesh Jaswal)
Judge

September 10, 2026
(Vinod)

High Court of H.P.

::: Downloaded on - 09/11/2026 15:13:45 :::CIS