IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No.16594/2024
Decided on: 31.12.2024

Ashok Kumar & Ors. …Petitioners

Versus

State of H.P. & Ors. ….Respondents.

……

Coram
Ms. Justice Jyotsna Rewal Dua, Judge.

Whether approved for reporting?[1]

For the petitioners: **Mr. M.A. Safee, Advocate.**

For the respondents: **Mr. Dalip K. Sharma, Additional Advocate General.**

***Jyotsna Rewal Dua* , J**

Notice. Mr. Dalip K. Sharma, learned Additional Advocate General, accepts notice on behalf of the respondents.

2. These writ petitions have been filed for the grant of following substantive reliefs:-

> *" (i) That a writ in the nature of Mandamus may kindly be issued directing the Respondents to extend the benefit of Himachal Pradesh Civil Services (Revised pay) Rules, 2022 after taking into account the services rendered by them on contract basis as having been appointed prior to 03.01.2022, in terms of Rule 7A, as incorporated vide Notification dated 06.09.2022, and they be granted the Higher Stage of Pay i.e. 30500/- from the date they have completed two years of regular service, as has been held by the Hon'ble High Court in Mohit Sharma and Sanjeev*

[1] *Whether reporters of the local papers may be allowed to see the judgment? yes*

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Vardhan Case (Supra) or in alternate they be treated to have been regularized prior to 03.01.2022 as they had already completed two years of Contractual Service in terms of Regularization Policy dated 28.12.2021, prior to 30.09.2021 and then they be granted the benefit of Higher Stage of Pay on completion two years' service.

ii) That the respondents be also directed to release the arrears of pay after fixing their pay @ Rs. 30500/- w.e.f. the date he had completed two years of regular service along with interest @ 9% p.a."

3. Learned counsel for the petitioners submits that the issue involved and the relief prayed for by the petitioners has already been adjudicated in ***Mohit Sharma and Anr. Vs. State of H.P. and others***[2]. Learned counsel for the petitioners further submits that the petitioners would be content, if the case of the petitioners is considered by the respondents in light of the aforesaid judgment within a time bound schedule.

Learned Additional Advocate General has no objection to this prayer.

4. Having regard to above submissions but without examining the merits of the matter, this petition is disposed of by directing the respondents to consider the case of the petitioners in light of the aforesaid judgment and pass appropriate orders in accordance with law within a period of four weeks from the date of

[2]2 CWP No. 1638 of 2024, decided on 29.11.2024

High Court of H.P.

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receipt of copy of this order. The decision so arrived at, shall be communicated to the petitioners.

Pending miscellaneous application(s), if any, also to stand disposed of.

Jyotsna Rewal Dua
Judge

31st December, 2024(rohit)

High Court of H.P.

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