IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 19729 of 2026
Decided on: 04.11.2026

Mamta Kumari **.....Petitioner**

Versus

State of H.P. and Anr **.....Respondents**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?[1]

For the Petitioners: Mr. Shivalik Bhaik, Advocate.

For the Respondents: Ms. Menka Raj Chauhan, Deputy Advocate General for respondent No.1.

Ms. Neelam Kaplas, Advocate, for respondent No.2.

Jyotsna Rewal Dua, Judge

Notice. Ms. Seema Sharma, Deputy Advocate General and Ms. Neelam Kaplas, learned counsel, appear and waive service of notice on behalf of respondent No.1 and 2, respectively.

2 With the consent of learned counsel for the parties, the matters are heard at this stage.

3. The petitioner is serving as Junior Office Assistant (Information Technology), IT, in respondent No. 2.

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

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Her representation for considering contractual service for the purpose of promotion was rejected by respondent No.2 on 14.02.2024 (Annexure P-3), primarily for the reason that there was no such provision in the contractual policy of the State Government, as also in the applicable Recruitment and Promotion Rules. The petitioner has preferred this writ petition seeking applicability of ***Taj Mohammad and others Versus The State of Himachal Pradesh and others***[2]. for claiming the aforesaid relief. Her grievance is that her representation (Annexure P-5) preferred in this regard has not been considered and decided in view of Taj Mohammad.

It is an admitted position that "Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024" has been quashed and set aside in ***Devinder Kumar & Ors. Vs. State of Himachal Pradesh & Anr.***[3]. It is also a matter of record that ***State of Himachal Pradesh & Anr. Vs. Devinder Kumar & Ors.***[4] instituted by the State of Himachal Pradesh against the aforementioned judgment, has been

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[2] CWP No.2004 of 2017, decided alongwith connected matter on 03.08.2023.
[3] CWP No.3361 of 2025, decided alongwith connected matters on 25.04.2026
[4] Special Leave to Appeal (C) No(s).24885/2026

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dismissed by the Hon'ble Apex Court on 29.07.2026. While dismissing the appeal, the Hon'ble Apex Court granted four months' time to the State Government to do the needful in terms of the judgment.

4. In view of above, the present petition is disposed of with direction to the respondents to consider the case of the petitioner afresh notwithstanding the rejection order dated 14.02.2024 (Annexure P-3) for the grant of relief prayed for by her, in accordance with the time-line indicated by the Hon'ble Apex Court. The petitioner is at liberty to seek appropriate remedy for the redressal of her surviving grievances, if any, at an appropriate stage, in case, necessity so arises, in future. Pending miscellaneous applications, if any, shall also stand disposed of.

Jyotsna Rewal Dua
Judge

4th November, 2026
Rohit

High Court of H.P.

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