IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWPOA No. 5876 of 2019

Date of decision: 14.10.2026.

Tota Ram ...Petitioner.

Versus

State of H.P. & others ...Respondents.

Coram:

The Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?[1]

For the petitioner : Mr. C.N. Singh, Advocate.

For the respondents : Mr. Gautam Sood, Deputy Advocate General.

Ranjan Sharma, Judge:

Petitioner has come up before this Court, seeking the following reliefs:-

> *"(i) That the respondent department may kindly be directed to grant work charge status/regularization (In terms of the Rakesh Kumar Case) w.e.f. 1.1.2001 with all consequential benefits and arrear may kindly be ordered to be released in favour of applicant in time bound manner.*
>
> *(ii) That the respondent department may kindly be directed to re-fix the pay of applicant w.e.f. 1.1.2001 and arrear be*

[1] ***Whether reporters of Local Papers may be allowed to see the judgment? Yes***

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released in favour of applicant in time bound manner".

2. Learned Counsel for the petitioner submits that the case of the petitioner is covered by the judgment of the Hon'ble Supreme Court in the case of **State of Himachal Pradesh** versus **Surajmani** (Civil Appeal No. 1595 of 2025, decided on 06.02.2025).

3. Learned Counsel further submits, on Instructions, that the petitioner shall be satisfied, in case, the Respondents examine/consider the case of the petitioner in the light of the judgment in the case of **Surajmani**.

4. Prayer, being innocuous, is not opposed by Learned State Counsel also.

5. Considering the statement made by Learned Counsel for the petitioner and leaving all questions open and without adjudicating the rival claims and contentions herein, this Court, disposes of the instant petition, in the following terms:-

(i) State authorities shall consider/ examine the case of the petitioner for conferment of work-charge status as per the mandate of the Hon'ble Supreme Court in the case of **Surajmani** (supra).

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(ii) Upon consideration, in case the petitioner is found to be eligible and entitled for work-charge status in terms of the mandate in the case of **Surajmani,** then in such an eventuality, the benefits/relief shall be limited to notional benefits only and without past arrears, as per the principle mandated in the case of **Surajmani** (supra).

(iii) Needless to say, that this Court has not adjudicated the claim and rival contentions on merits; which shall be examined by the Respondents/ State Authorities, in accordance with law, hereafter within two months from today.

(iv) Parties to bear respective costs.

6. In aforesaid terms, the instant petition alongwith all pending applications stand disposed of.

(Ranjan Sharma)
Judge

14th October, 2026.
(kck)

High Court of H.P.

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