IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Petition No.1308 of 2024
Decided on: 14.10.2026

Pawan Kumar and others

...Petitioners

Versus

State of Himachal Pradesh and another

...Respondents

Coram
Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge
Whether approved for reporting? [1]

For the petitioners: Mr. Virbahadur Verma and Mr. Anu Minhas, Advocates.

For the respondents: Mr. Amandeep Sharma, Additional Advocate General.

Jiya Lal Bhardwaj, Judge (Oral)

The petitioners by way of present petition are seeking implementation of the judgment dated 15.03.2024 passed in CWP No.448 of 2021, titled, ***Pawan Kumar & Ors. vs. State of H.P. & Anr.*** Before proceeding further, it is apt to quote the relevant para of the judgment, which reads as under:-

> *"3. Without adverting to the merits of the case, the instant petition is disposed of with direction to respondent No.2 to consider and decide the case of the petitioners within four weeks from today strictly in terms of the judgment passed by by this Court on 14th March, 2024, passed in* ***CWPOA No. 2782 of 2019, titled as Narender Singh Thakur & Ors. vs. State of H.P. & Ors.,*** *by passing a detailed and*

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

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reasoned order. Needless to say that in case petitioners is found identically situated as the beneficiaries in the case(s) decided vide aforesaid judgment dated 14th March, 2024, the petitioners shall also be extended all such benefits as made available to beneficiaries therein within further period of four weeks."

2. After passing of the judgment by this Court in the writ petition instituted by the petitioners, respondent No.2 has passed an office order dated 18.06.2024, whereby the petitioners along with others have been considered as deemed regular employees of the State in the pay scale of Rs.10300-34800 + 3600 Grade Pay plus other allowances from the date when they were initially appointed/joined on contract basis with all consequential benefits. However, monetary benefits are restricted to a period of three years only immediately preceding the date of filing of petition.

3. The grievance of the petitioners is that the monetary benefits should have been granted to them from the original due date, rather than being limited to three years preceding the filing of the petition. However, the said submission cannot be accepted in view of the fact that this Court while disposing of the writ petition, filed by the petitioners, directed respondent No.2 to consider and decide the case of the petitioners within four weeks, strictly in

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terms of the judgment passed by this Court on 14.03.2024, in CWPOA No.2782 of 2019, titled, ***Narender Singh Thakur & Ors. vs. State of H.P. & Ors.,*** by passing a detailed and reasoned order.

4. Once the competent authority has passed a detailed order thereby extending the benefit to the petitioners and restricting the monetary benefits to a period of three years, the only remedy, if available to the petitioners is to challenge the said order and this Court cannot interpret the said order, more especially when this Court while disposing of the writ petition had only directed the competent authority to pass a detailed and speaking order.

5. Consequently, I do not find any merit in the present execution petition and the same is dismissed. However, a liberty is reserved to the petitioners to avail appropriate remedy in accordance with law. Pending miscellaneous applications, if any, also stand disposed of.

14th October, 2026 **(Jiya Lal Bhardwaj)**
(Anurag) **Judge**

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