IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

CWP No. 9173 of 2026.
Decided on: 19.6.2026.

Vipen Kumar and others ….Petitioners.

Versus

State of HP and another … Respondents.

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Coram

The Hon'ble Mr. Justice Ajay Mohan Goel, Judge.

Whether approved for reporting?[1]

For the petitioners.	**:**	**M/s. Rajesh Kumar & Rakesh Chauhan, Advocates.**
For the respondents.	**:**	**Mr. Pushpinder Jaswal, Additional Advocate General.**

Ajay Mohan Goel, Judge(Oral)

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

> *"(i) That an appropriate writ, order or directions may kindly be issued and the Notification dated 8.5.2025, Annexure P-5, may very kindly be modified to the extent of making promotions of the petitioners on notional basis from the date they assumed the charge of the post of Principal (on placement basis), by directing the respondents to make the promotion of the petitioners on actual basis from the date when the petitioners assumed the charge of the post of Principal, with all consequential benefits of pay, arrears, seniority and the arrears may be ordered to be granted along with interest @ 9% p.a. in the interest of law and justice.*
>
> *(ii) That an appropriate writ, order or directions may kindly be issued and the respondents may kindly be directed to grant all the monetary benefits to the petitioners and the pay scale of the post of Principal (school cadre) from the date when they were given the charge of the post of Principal*

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

(school cadre) on actual basis by calculating the arrears and releasing same in favour of petitioners along interest @ 9% p.a."

2. The petitioners contend that in terms of Annexure P-5, dated 08.05.2025, when they were promoted on regular basis against the post of Principal (School Cadre), said promotion was conferred with immediate effect as from the date of the notification and on notional basis from the date the petitioners assumed the charge of the post of Principal on placement basis. The grievance of the petitioners is that they have been discriminated by the Department, as in other cases, incumbents similarly situated as the petitioners, were promoted on regular basis from the date they assumed the charge of the post of Principal on placement basis.

3. Learned counsel for the petitioners submitted that the reliefs prayed for in this petition are otherwise squarely covered by the judgment passed by this Court in CWP No.9321 of 2025, titled Vijay Parmar and others Vs. State of Himachal Pradesh, decided on 06.04.2026, and the petition be disposed of with the direction that the judgment passed therein shall mutatis mutandis be construed to have been passed in the present petition also.

4. Though the similarity in the issue decided by this Court in Vijay Parmar and others Vs. State of Himachal Pradesh (supra) and the grievance of the petitioners could not be disputed by the learned

Additional Advocate General, but he submitted that the order that may be passed by this Court be subject to the legal rights of the respondents to agitate the same. Ordered accordingly.

5. This petition is disposed of by directing that the directions passed in Vijay Parmar and others Vs. State of Himachal Pradesh (supra), shall be construed to have been passed in the present case also mutatis mutandis. It is held that the act of the respondents-State of conferring the promotion to the petitioners in terms of Annexure P-5, dated 08.05.2025 on regular basis with immediate effect and on notional basis from the date they assumed the charge of the post of Principal on placement basis is bad and it is directed that the petitioners shall be conferred the benefit of regularization as was conferred to their counter-parts from the date of assuming the charge of the post i.e. from the actual date of the petitioners joining as Principal on placement basis with all consequential benefits. Pending miscellaneous application(s), if any, also stand disposed of.

(Ajay Mohan Goel)
Judge

19th June, 2026
(Guleria)