



IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA

CWP No. 1363 of 2025
Decided on : 26.05.2026

Prem Singh Shandil

...Petitioner

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Whether approved for reporting?¹

For the petitioner : Mr. Sparsh Bhushan, Advocate.

For the respondents : Mr. R.P. Singh, Deputy Advocate
General, for respondents No.1 & 2.

Respondent No.3 proceeded
against *exparte*.

Ajay Mohan Goel, Judge (*Oral*)

By way of this writ petition, the petitioner has, *inter alia*, prayed for the following reliefs:-

“(i) That an appropriate writ, order or directions may kindly be issued and the and the respondents may kindly be directed to regularize the services of the petitioner as Clerk on and with effect from 21.12.2002 when junior person of the petitioner, i.e. Ram Karan has been

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



regularized, with all the consequential benefits of pay, seniority etc. etc and the arrear along with interest @ 9% p.a. may be ordered to be paid to the petitioner.

(ii) That an appropriate writ, order or directions may kindly be issued and the and the respondents may kindly be directed to grant similar benefits to the petitioner as has been granted to said Sh. Ram Karan on the basis of the judgment passed by this Hon'ble Court in CWP 4474/2020, decided on 9.12.2022 in the interest of law and justice."

2. Learned counsel for the petitioner has drawn the attention of the Court to Annexure P-4, which is the judgment passed by the Hon'ble Coordinate Bench of this Court in *CWP No. 4474 of 2020, titled Ram Karan Verma Vs. State of H.P. & Ors., decided on 09.12.2022* and submitted that in the said judgment, Hon'ble Coordinate Bench was pleased to order the Authority to take a call in the case of the petitioner therein, on the basis of judgment dated 15.09.2014, passed in *CWP No. 3877 of 2011, titled Harsh Gupta Vs. Secretary Urban Development and others*. He further submitted that thereafter in terms of Annexure P-5, dated 12.06.2023, order was passed by the Authority conferring benefits upon the petitioner therein of



retrospective promotion. He submitted that as the petitioner is similarly situated, respondents be directed to confer the same benefit upon the petitioner, as was conferred to Sh. Ram Karan Verma and others.

3. On the other hand, learned Deputy Advocate General submitted that as the petitioner submitted, the Authority will have to ascertain as to whether the petitioner is similarly situated as Sh. Ram Karan Verma or not. Additionally, he submitted that there is a considerable delay on the part of the petitioner in approaching the Court.

4. Be that as it may, in light of the fact that as per learned counsel for the petitioner, persons similarly situated as the petitioner, had been given the benefit of regularization from retrospective date, this petition is disposed of with the direction that the case of the petitioner be also decided by the Authority in terms of Harsh Gupta's case (supra). In case, the petitioner is found to be similarly situated as the petitioner therein, then appropriate order be passed in the case of the petitioner, in light of Annexure P-4.

5. As far as the issue of delays and laches is



concerned, in case, the Authority comes to the conclusion that the petitioner is entitled for the relief, then monetary benefits be confined to three years prior to the filing of the writ petition. Needful be done, within a period of eight weeks. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

May 26, 2026
(Shivank Thakur)