

**IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA**

**CWP Nos. 5518, 5516, 5517, 5720,
4607, 5375, 5434, 5553 &
5863/2026
Decided on: 13.05.2026.**

1. CWP No. 5518/2026

Manish Chand Katoch **.....Petitioner**

Versus

Union of India and others **..Respondents**

2. CWP No. 5516/2026

Rachita Sharma **.....Petitioner**

Versus

Union of India and others **..Respondents**

3. CWP No. 5517/2026

Toshit Vaidya **.....Petitioner**

Versus

Union of India and others **..Respondents**

4. CWP No. 5720/2026

Naresh Kumar and others **.....Petitioners**

Versus

National Legal Services Authority & others **..Respondents**

5. CWP No. 4607/2026

Vikas Lohia **.....Petitioner**

Versus

Union of India and others **..Respondents**

6. CWP No. 5375/2026

Daulat Ram Bhardwaj **.....Petitioner**

Versus

Union of India and others **..Respondents**



7. CWP No. 5434/2026

Parveen

Versus

.....Petitioner

Union of India and others

..Respondents

8. CWP No. 5553/2026

Ranjeet Singh

Versus

.....Petitioner

National Legal Services Authority & others

..Respondents

9. CWP No. 5863/2026

Pariksha Devi and others

Versus

.....Petitioners

National Legal Services Authority & others

..Respondents

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner(s): Mr. Tara Singh Chauhan, Senior Advocate with Ms. Yamini Sharma, Advocate in CWP No.5518, 5516, 5517 & 5434/2026
Ms. Anubhuti Sharma, Advocate in CWP No.5720, 5553 & 5863/2026
Mr. Suresh Singh Saini, Advocate vice Mr. Hirdaya Ram, Advocate in CWP No.4607/2026.
Mr. Prem P. Chauhan, Advocate with Ms. Ayush Sharma, Advocate in CWP No.5375/2026

For the Respondents: Mr. Avinash Jaryal, Senior Panel Counsel, for Union of India in all petitions except CWP No. 4607/2026.

Mr. Balram Sharma, Deputy Solicitor General of India with Mr. Rajeev

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



Sharma, Advocate for Union of India
in CWP No. 4607/2026.

Ms. Rashmi Nand Kumar, Advocate
(through V.C), for National Legal
Services Authority in all petitions.

Mr. Desh Raj Thakur, Advocate, for
H.P. State Legal Services Authority,
District Legal Services Authority &
Secretary, District Legal Services
Authority in all petitions.

Jyotsna Rewal Dua, Judge

All these writ petitions involve common questions of law and facts, hence, have been taken up together for adjudication.

2. Petitioners are serving as Legal Aid Defence Counsel in different capacities on contract basis in different District Legal Services Authorities in the respondent- State. Initially, period of their contractual tenure was one year, extended further from time to time. Petitioners' grievance is to an office letter issued by respondent No.3- the Himachal Pradesh State Legal Services Authority on 30.03.2026 extending their contractual tenure period only uptill 31.05.2026. Petitioners are also aggrieved against respondent No.3's decision in issuing fresh advertisements for filling up the posts held by them, again, on contract basis.

3. It is not in dispute that similar legal issue as



raised in these petitions was involved and decided in favour of the petitioners in **Ramkrishna Soni and others versus Union of India and others**². It is matter of record that aforesaid decision has been assailed before the Hon'ble Apex Court in **Sunil Kumar Jain & others versus Union of India and others. Etc.**³

3. Learned counsel appearing for respondent No.2- National Legal Services Authority has placed on record office letter dated 23.04.2026 issued to all the Members Secretaries of all the States/ Union Territory Legal Services Authorities directing them to extend the contractual period of Legal Aid Defence Counsel engaged in the District Legal Services Authorities till the matter is *sub-judice* before the Hon'ble Supreme Court of India. The letter reads as under:-

“To

The Member Secretaries,
All State/ Union Territory Legal
Services Authorities.

Subject: **Extension of Contractual Period of
Legal Aid Defence Counsels
(LADCs) appointed in the District
Legal Services Authorities
(DLSAs), Directions thereof.**

Sir/ Madam,

It is brought to your kind attention
that SLP(C) Nos. 6857-6858 of 2026, titled **Suneel**

²Writ Petition No.36687/2025, decided on 18.12.2025 by High Court of Madhya Pradesh at Jabalpur.

³Special Leave Petition (C) Nos. 6857-6858/2026.



Kumar Jain & Others v. Union of India & Ors., is presently pending before the Hon'ble Supreme Court of India, wherein the order dated 18th December, 2025, passed by the Hon'ble High Court of Madhya Pradesh (Jabalpur Bench) has been challenged. The Hon'ble High Court had, inter alia, held as follows:-

(a) The Standard Operating Procedure (SOP) framed by the MP SLSA is contrary to the Scheme of NALSA and accordingly, the SOP dated 6th August, 2026 was quashed by the Hon'ble Court;

(b) The Legal Aid Defence Counsels, who are appointed as per the Modified Scheme of 2022, shall continue to work on their posts of appointment on contractual basis; and

(c) Work done shall be revised in accordance with the Modified Scheme of 2022. In the event their work is found unsatisfactory, the DLSA and SLSA may take action in accordance with the Modified Scheme of 2022.

(d) The Writ Petition filed by the petitioners is allowed and disposed of accordingly.

As directed, in view of the aforesaid legal position, the State/UT Legal Services Authorities are, therefore directed to extend the contractual period of the Legal Aid Defense Counsels (LADCs) engaged in the District Legal Services Authority (DLSAs) till the matter is sub-judice before the Hon'ble Supreme Court of India..."

4. In view of the above letter issued by the National Legal Services Authority, respondents No. 3 & 4- H.P. State Legal Services Authority & District Legal



Services Authorities in all these petitions are directed to ensure do compliance to the aforesaid directions issued by National Legal Services Authority or in other words, the petitioners shall be allowed to continue to serve as Legal Aid Defence Counsel in their different existing capacities in different District Legal Services Authorities in the State till the adjudication of ***Sunil Kumar Jain***³ by the Hon'ble Sureme Court of India.

All these writ petitions stand disposed of in above terms, so also the pending miscellaneous application(s), if any.

May 13, 2026
yogesh

Jyotsna Rewal Dua
Judge