



IN THE HIGH COURT OF HIMACHAL PRADESH AT
SHIMLA

CWP No. 15207 of 2025
Decided on : 07.05.2026

Dharub Kumar and others

...Petitioners

Versus

State of Himachal Pradesh and others

...Respondents

Coram

Hon'ble Mr. Justice Ajay Mohan Goel, Judge

Whether approved for reporting?¹

For the petitioners : M/s Abhinav Purohit and Saurabh Ahluwalia, Advocates.

For the respondents : Mr. Pushpinder Jaswal, Additional Advocate General, for respondents No.1 & 2.

Mr. Tara Chand Chauhan,
Advocate, for respondent No.3.

Ajay Mohan Goel, Judge (*Oral*)

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

"i That the present Civil Writ Petition may kindly be allowed and this Hon'ble Court may kindly issue a writ in the nature of Mandamus directing the respondents to grant the petitioners all the actual consequential & financial benefits attached to the post of Principal (School

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



Cadre) Class-I (Gazetted) including arrear of pay and allowances w.e.f. the date of joining as Principal (School Cadre) Class-I (Gazetted) on placement basis with the respondent department and further the respondents may be directed to pay an interest on the said arrears at the rate of 9% per annum in the interest of law and justice.

ii. That the respondents may kindly be directed to grant the petitioners actual consequential and financial benefits including arrears of pay & pension at par with the similarly situated employees who were granted the same benefits vide notification dated 17.12.2018, for the period the petitioners have worked and served as Principal (School Cadre) Class-I (Gazetted) alongwith pensionary entitlements in the interest of justice and fair play.

iii. That the respondents may be directed to further revise the pensionary benefits of the petitioner accordingly after the revision of pay scale and other consequent and financial benefit as prayed in clause i and ii of the prayer.”

2. The petitioners contend that in terms of Annexure P-4, 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-4, 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.

6. Pending miscellaneous application(s), if any, also stand disposed of accordingly.

(Ajay Mohan Goel)
Judge

May 07, 2026
(Shivank Thakur)