



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

**CWP No. 14408 of 2025 a/w  
CWP Nos. 14405, 15049, 16224,  
16235, 17016, 17031, 17714,  
18416, 18459, 18557 of 2026, 475,  
826, 849, 1205, 1557, 1558 & 2181  
of 2026, CWP No. 14167, 14936,  
15672, 15772, 16068, 16093,  
17966, 18545 & 19956 of 2025 &  
CWP No. 557 of 2026.**

**Date of decision: 11.05.2026.**

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**1. CWP No. 14408 of 2025**

Hem Lata and Others

...Petitioners.

Versus

State of Himachal Pradesh and Anr.

...Respondents.

**2. CWP No. 14405 of 2025**

Mala Thapa and others

...Petitioners.

Versus

State of Himachal Pradesh and Anr.

...Respondents.

**3. CWP No. 15049 of 2025**

Partap Singh

..Petitioner.

Versus

State of Himachal Pradesh and Anr.

...Respondents.

**4. CWP No. 16224 of 2025**

Ravi Kumar and Others ....Petitioners.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**5. CWP No. 16235 of 2025**

Rakesh Kumar and Others ....Petitioners.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**6. CWP No. 17016 of 2025**

Deeksha Sharma ....Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**7. CWP No. 17031 of 2025**

Suraj Pal ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**8. CWP No. 17714 of 2025**

Pusp Raj and Others ...Petitioners.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**9. CWP No. 18416 of 2025**

Nittu ...Petitioner.

Versus

HPSEBL and another ...Respondents.

**10. CWP No. 18459 of 2025**

Pankaj and Others ...Petitioners.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**11. CWP No. 18557 of 2025**

Ajay Singh Thakur and Others ...Petitioners.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**12. CWP No. 475 of 2026**

Des Raj ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**13. CWP No. 826 of 2026**

Kamal Kishore ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**14. CWP No. 849 of 2026**

Amit Kumar ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**15. CWP No. 1205 of 2026**

Rajesh Kumar ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**16. CWP No. 1557 of 2026**

Mahender Kumar ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**17. CWP No. 1558 of 2026**

Pushap Raj and Anr. ...Petitioners.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**18. CWP No. 2181 of 2026**

Nikhil Patiyal and Anr. ...Petitioners.

Versus

HPSEBL and others ...Respondents.

**19. CWP No. 14167 of 2025**

Arjun Singh ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**20. CWP No. 14936 of 2025**

Neeraj Soni and Others ...Petitioners.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**21. CWP No. 15672 of 2025**

Anita Kumari ...Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**22. CWP No. 15772 of 2025**

Anju Bala ...Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**23. CWP No. 16068 of 2025**

Anil Kumar and Ors. ...Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**24. CWP No. 16093 of 2025**

Sharda Devi ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**25. CWP No. 17966 of 2025**

Vikas Sidhu ...Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**26. CWP No. 18545 of 2025**

Manju Chandel ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

**27. CWP No. 19956 of 2025**

Devinder Kumar ...Petitioner.

Versus

State of Himachal Pradesh and Anr. ...Respondents.

**28. CWP No. 557 of 2026**

Mukul Jishtu ...Petitioner.

Versus

State of Himachal Pradesh and Ors. ...Respondents.

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**Hon'ble Mr. Justice Vivek Singh Thakur, Judge.**

**Hon'ble Mr. Justice Ranjan Sharma, Judge.**

Whether approved for reporting? <sup>1</sup> Yes

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For the Petitioner(s). *Mr. Ankush Dass Sood, Senior Advocate with Mr. Rakesh Kumar Sharma, Advocate, Ms. Ritta Goswami, Senior Advocate with Ms. Komal Chaudhary and Ms. Rekha Kumar, Advocates, Mr. Tarun Sharma, Advocate, Mr. Sat Prakash, Advocate, Ms. Kiran Kumar Chauhan, Advocate, Mr. Rajesh Kumar, Advocate, Mr. Vinod Kumar Thakur, Advocate, Mr. Umesh Kanwar, Advocate, Mr. Ajay Kumar Chauhan, Advocate & Mr. Suneel Awasthi, Advocate for respective petitioners in respective petitions.*

For the Respondents: *Mr. Anup Rattan, Advocate General with Mr. Ramakant Sharma, Additional Advocate General, for respondents-State in all petitions.*

*Mr. Rajesh Kashyap, Advocate, for respondent-HPSEBL in CWP No. 18416 of 2025 and CWP No. 2181 of 2026.*

*Ms. Heena Chauhan, Advocate, for respondent No. 2 in CWP No. 17966 of 2025*

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**Vivek Singh Thakur, Judge**

All these matters, as prayed, are taken up together.

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<sup>1</sup> Whether the reporters of the local papers may be allowed to see the judgment?



2. All these petitions, for involving common question of law and facts, to be adjudicated and decided, are being decided with this common order.

3. Petitioners in all these petitions are seeking regular appointment from the initial date of appointment, in view of the provisions of the Rights of Persons with Disabilities (RPwD) Act, 2016 and also in terms of judgment passed by this Court as well as the Apex Court in **CWP(OA) No. 1077 of 2019**, titled **Nitin Kumar vs. State of Himachal Pradesh and another**, **CWP No. 5090 of 2022**, titled **Umesh Jaswal and State of H.P.** along with connected matter and **CWP No. 4299 of 2019**, titled **Pushpa Devi and others vs. Himachal Pradesh University**.

4. Claim of the petitioners have been rejected by the competent authority on the basis of enactment of Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024 (Act No. 23 of 2025).

5. Admittedly, the Employees Act has been quashed and set-aside by Co-ordinate Bench of this Court, vide judgment dated 25.04.2026 passed in CWP No.3361 of 2025 titled as **Devinder Kumar & others vs State of H.P and others connected matters**, wherein it has been observed as under:-



“2. In all these petitions, the petitioners are mainly aggrieved by the enactment of the Himachal Pradesh Recruitment and Conditions of Service of Government Employees Act, 2024 (Act No. 23 of 2025) (in short '**Govt. Employees Act**'/the Act/the impugned Act).

3. In this common judgment, we are adjudicating only the constitutionality, validity, and legality of the Govt. Employee Act. For other reliefs, the consequences shall follow accordingly, and in case any further relief(s) is/are required to be determined after adjudication of additional facts, not discussed or adjudicated or covered in this judgment, the petitioners shall be at liberty to avail appropriate remedies, including the filing of fresh petitions for redressal of grievance based on such other issues raised or not raised in these petitions.

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202. Accordingly, in view of above discussion and considering the ratio of law laid down by the Apex Court, the impugned Act is quashed and set aside.

203. In view of quashing of the impugned Act, all consequential action, omission and commission of the respondents-State and its functionaries, based on the impugned Act, are declared illegal, unconstitutional and nullify, and resultantly orders/rejection/directions, withdrawal, denying benefits or proposing recovery of already granted reliefs, based on the impugned Act, in conflict with the mandate of the Court are also quashed and set aside and competent authority(ies) is directed to ensure extension of benefits to the employees in terms of judgments passed by the competent Courts, latest by three months from today by issuing appropriate orders, if so required, in consonance with the Constitutional mandate and verdict of the Court(s).”

6. Finding, returned in CWP No. 3361 of 2025 titled Devinder Kumar & others vs State of HP and others, shall be applicable *mutatis mutandis* to present matters to all intents and purposes.

7. Consequently, impugned office order(s) rejecting the claim/prayer of the petitioners in all respective petitions in view of Government Employees Act also stand quashed and set aside with



direction to the competent Authority to decide the same afresh by taking into consideration the provisions of the Act and the judgments relied upon by the petitioner(s) *supra* by passing a speaking and reasoned order on or before **30.06.2026**, after giving opportunity of being heard, if so desired. Decision so taken shall be immediately supplied to the petitioners.

8. Needless to say that for redressal of any surviving grievance, petitioner(s) shall be at liberty to avail appropriate remedy by raising all issues already raised in these petitions, or not raised in these petitions, for adjudication of the same in accordance with law.

Petitions are disposed of in aforesaid terms, so also pending application(s), if any.

**(Vivek Singh Thakur),  
Judge.**

**(Ranjan Sharma),  
Judge.**

**11<sup>th</sup> May, 2026** *(susheel)*