

(2024) 04 SHI CK 0005

High Court Of Himachal Pradesh

Case No: Latter Patent Appeals No. 231 Of 2023, 18, 19, 20 Of 2024

H.P. Housing And Urban
Development Authority And
Others

APPELLANT

Vs

Nisha Sharma And Another

RESPONDENT

Date of Decision: April 3, 2024

Hon'ble Judges: M.S. Ramachandra Rao, CJ; Jyotsna Rewal Dua, J

Bench: Division Bench

Advocate: C.N. Singh, Anshul Gandhi, Sunil Mohan, Anup Rattan, Rakesh Dhaulta, Pranay Pratap Singh, Sushant Keprate, Arsh Rattan, Sidharth Jalta, Priyanka Chauhan

Final Decision: Dismissed

Judgement

M.S. Ramachandra Rao, CJ

1. Since a common issue arises for consideration in all these appeals, these appeals have been decided by this common order.
2. In all these appeals, respondent no.1 had been engaged though as Daily Wage Beldar on muster-roll basis, the appellant had extracted the work from them as Clerks from the very initial date of their joining.
3. The appellant itself had initiated a proposal to the State Government, seeking permission to regularize respective respondent nos.1 against the posts of Clerks, but the State Government appears to have rejected it.
4. However, in cases of similarly situated persons, several orders appear to have been passed by this Court, granting relief of regularization in the post in which they were working, i.e. Salochana Verma vs. Himuda Housing and Urban Development Authority, Santosh Chauhan vs. Himachal Pradesh Housing and Urban Development Authority and others, and Rajesh Kumar & others vs. Himachal Pradesh Urban Development Authority & others, and this Court had granted relief after taking into account the fact that the petitioners therein had been made to work against the post of Clerks and they should be, therefore, considered for regularization against the post of Clerks.
5. In view of the fact that the relief has been extended to other persons similarly situated like respondent nos.1 by this Court in the cases referred to supra, we are not inclined to interfere with the orders passed by the learned Single Judge.
6. Accordingly, these appeals are dismissed alongwith pending miscellaneous application(s), if any.