

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**CWP Nos. 11700, 12009, 11702 &
12819 of 2026**

Date of decision: 21.08.2026

1) CWP No. 11700 of 2026

Amit Kumar & Ors.

...Petitioners

Versus

State of H.P. & Ors.

...Respondents

2) CWP No. 12819 of 2026

Kishore Kumar

...Petitioner

Versus

State of H.P. & Ors.

...Respondents

3) CWP No. 11702 of 2026

Balbir Singh & Ors.

...Petitioners

Versus

State of H.P. & Ors.

...Respondents

4) CWP No. 12009 of 2026

Diwanshi Mahajan & Anr.

...Petitioners

Versus

State of H.P. & Ors.

...Respondents

Coram

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

Hon'ble Mr. Justice Ranjan Sharma, Judge.

Whether approved for reporting?

For the Petitioner(s): Mr. Onkar Jairath, Senior Advocate, with M/s. Piyush Mehta & Anshul Jairath, Advocates, in all the petitions except CWP No.12009 of 2026.

Mr. Sanjeev Bhushan, Senior Advocate, with Mr. Sparsh Bhushan, Advocate, for the petitioner, in CWP No.12009 of 2026.

For the Respondents: Mr. Ramakant Sharma, Additional Advocate General, for respondents No. 1 and 2-State, in all the petitions.

Mr. Vikrant Thakur, Senior Advocate, with Ms. Supriya Chaudhary, Advocate, vice Mr. Shubham Singh Guleria, Advocate, for respondent No. 3-Himachal Pradesh Public Service Commission, in all the petitions.

Mr. Archana Dutt, Advocate, for respondent No.4, in CWP Nos. 11700 & 12009 of 2026.

Mr. Mohit Thakur, Advocate, for respondent No.4, in CWP No. 12819 of 2026 & for respondent No.19 to 23, in CWP No. 11702 of 2026.

Ms. P.D. Nanda, Advocate, for respondents No 4, 7 to 17, in CWP No.11702 of 2026.

Mr. R. K. Bawa, Senior Advocate (through V.C.), with Mr. Ajay Kumar

Sharma, Advocate, for respondents No. 5, 10, 12, 13 and 18, in CWP No. 11700 of 2026 and for respondents No. 7, 12 to 14 & 18, in CWP No.12009 of 2026.

Mr. Rajnish Maniktala, Senior Advocate, with Mr. Dinkar Bhaskar, Advocate, for respondents No.6, 8, 11, 16 and 17, in CWP No. 11700 of 2026 and respondent No.5, 8, 10, 16 and 17, in CWP No. 12009 of 2017.

Mr. Vishvinder Singh, Advocate, for respondents No. 5, 6 and 18, in CWP No.11702 of 2026.

Mr. Surinder Kumar Sharma, Senior Advocate, with Mr. Siddhant Negi, Advocate, for respondents No.7, 14 and 15, in CWP No. 11700 of 2026 and for respondents No.6, 9 and 15, in CWP No.12009 of 2026.

Mr. C. D. Negi, Advocate, for respondent No. 9, in CWP No.11700 of 2026 and for respondent No. 11, in CWP No. 12009 of 2026.

Vivek Singh Thakur, Judge (Oral)

These petitions, as agreed by the parties, in view of the instructions dated 20.08.2026 received from the Additional Secretary (Jal Shakti) to the Government of Himachal Pradesh

by learned Advocate General, are tagged and taken up together and are being disposed of with the following common order.

2. Instructions referred supra, placed on record by learned Additional Advocate General, it has been informed as under:-

"Subject:- 1. CWP No.11700/2026 titled as Amit Kumar & Others Vs. State of H.P. & Others.
2. CWP No.11702/2026 titled as Balbir Singh & Others Vs. State of H.P. & Others.
3. CWP No.12009/2026 titled as Diwanshu Mahajan & Others Vs. State of H.P. & Others.
4. CWP No.12819/2026 titled as Kishore Kumar (J.E.) Vs. State of H.P. & Others.

Sir,

I am directed to refer to the subjects cited above and to say that the instant matters were listed before the Hon'ble High Court on 12.08.2024. In this connection, it is submitted that the present matter was under consideration at Government level and now the Government had decided to review the DPC held on 08.07.2026 in respect of promotion of Junior Engineer (Civil) to Assistant Engineer (Civil), in consultation with the Respondent No.3 i.e. Himachal Pradesh Public Service Commission, as such, the instant writ Petitions having become infructuous and deserves dismissal."

3. The main grievance of the petitioners in these petitions is that they have a right to be considered in the DPC to promotion to next post as per their seniority but they have not been considered to promotion in DPC held on 08.07.2026 and have been ignored on irrelevant grounds, and persons junior to them including private respondents have been promoted, whereas the stand of the private respondents is that the promotions vide DPC held on 08.07.2026 have been made in accordance with law, Rules and Regulations as applicable.

4. Be that as it may, as the respondents have decided to review the recommendation made in DPC held on 08.07.2026 (recommendation made in) which are under challenge in present petitions, as requested in instructions placed on record by respondent-State, the present petitions are disposed of with the observation that the respondent-Department shall conduct the review DPC in consonance with all, Rules & Regulations, instructions and norms, as applicable including seniority and also by taking into consideration the grievance of the petitioners as well as the pleas of the private respondents.

5. Needless to say, in view of the decision of the State to review the DPC held on 08.07.2026, the impugned Notification dated 10.07.2026 [Annexure P-5 (Colly)], issued in pursuance to recommendation of the said DPC, have lost their efficacy and enforceability.

6. However, to avoid administrative inconvenience for the time being, the parties are directed to maintain status quo as it exists on date, with further direction that the parties shall abide by the outcome of the review DPC and the Notification dated 10.07.2026 (Annexure P-5 Colly.) shall not come in the way of the Authorities in reviewing the DPC in consonance with law, as applicable and recommendation made in DPC held on 08.07.2026 and Notification dated 10.07.2026 issued on the basis of said recommendation shall not create any right in favour of any person.

7. Any party aggrieved by the decision of the review DPC shall have liberty to avail an appropriate remedy for redressal its grievance in accordance with law.

8. In view of the present litigation and for direction to maintain status quo, and also for the reason that it is the stand

of the State that the writ petitions have become infructuous on account of the decision taken by the respondent-Department to review the DPC, it is directed that the review DPC be held on or before 30.09.2026 and follow-up action be taken by issuing appropriate order/Notification within one week thereafter.

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

(Vivek Singh Thakur),
Judge.

21st August, 2026
(Shamsh Tabrez)

(Ranjan Sharma),
Judge.