

Bhagat Ram vs. HRTC and others a/w connected matters.

CWP Nos.2108, 1323, 2313, 5651, 6345, 6611, 7825, 7857, 8050, 8177, 8192, 8193, 8233, 8241, 8242, 8312, 8501, 8559, 8560, 8561, 8562, 8563, 8579, 8581, 8585, 8587, 8734, 8742, 8750, 8940, 9000, 9001, 9002, 9179, 9217, 9255, 9274, 9312, 9363, 9389, 9471, 9534, 9546, 9547, 9581, 9675, 9703, 9769, 9845, 9846, 9847, 9849, 9853, 9887, 9889, 9895, 9896, 9897, 9898, 9904, 9907, 9909, 9948, 9964, 10023, 10054, 10101, 10102, 10103, 10121 to 10130, 10274, 10280, 10356, 10450, 10490, 10551 to 10554, 10581, 10585, 10660, 10661, 10663, 10680, 10687, 10734, 10760, 10761, 10764, 10832, 10841, 10843, 10845, 10862, 10945, 10958 of 2023, COPC No.537 and 543 of 2023, CWP Nos.71, 255, 303, 407, 408, 749, 1101, 1561, 1978, 2505, 2820, 3001, 3049, 3263, 3351, 3560, 3761, 3762, 3837, 3947, 4345, 5085, 5307, 5441, 5478, 5557, 5635 to 5641, 5753, 5755, 5860, 5870, 5889, 5948, 5949, 5975, 6041, 6043, 6047, 6055, 6101, 6131, 6185, 6187, 6215, 6221, 6249, 6405, 6407, 6409, 6615, 6665, 6667 to 6670, 6721, 6723 to 6727, 6779 to 6782, 6802, 6815 to 6817, 6871, 6873, 6931, 6947, 6979, 6983, 7249, 7305, 7306, 7371, 7598, 7605, 7621, 7715, 7725, 7771, 7772, 7803, 7910, 7911, 7973, 8016, 8121, 8166, 8167, 8185, 8257, 8261, 8263, 8477, 8478, 8512, 8531, 8593, 8609, 8654, 8655, 8664, 8665, 8725, 8731, 8837, 8840, 8843, 8844, 8845, 8897 to 8902, 8905, 8907, 8945, 8948, 8977, 8989, 9050, 9078, 9079 to 9083, 9101, 9151, 9186, 9199, 9200, 9202, 9221, 9223, 9224, 9231, 9253 to 9260, 9268, 9311, 9312, 9343, 9344, 9353, 9363, 9365, 9427, 9445, 9453, 9469, 9470, 9471, 9472, 9473, 9489, 9507, 9551, 9681, 9845, 9848, 9850, 9852, 9859, 9860, 9888, 9893, 9894, 9902, 9903, 9905, 10009, 10043, 10050, 10054, 10062, 10063, 10182, 10202, 10225, 10257, 10259, 10261, 10262, 10314, 10315, 10321, 10322, 10323, 10334, 10337, 10385, 10405, 10427, 10437, 10442, 10507, 10573, 10617, 10623, 10626, 10627, 10633, 10805, 10901 to 10906, 10908, 10925, 11046, 11056, 11082, 11083, 11085, 11086, 11183, 11210, 11211, 11261, 11297, 11315, 11318, 11361, 11405, 11406, 11419 to 11422, 11461, 11537, 11553, 11557, 11709, 11713, 11715, 11716, 11753, 11957, 12067, 12096, 12223, 12323, 12373, 12616, 12617, 12618, 12641, 12760, 12962, 13131 to 13134, 13136, 13229, 13265, 13281, 14631, 15338, 15631, 15635 of 2024.

Item No. D-11.

22.05.2025 Present:

Mr. Sanjeev Bhushan, Mr. K.S. Banyal, Mr. Vijay K. Arora, Sr. Advocates with Mr. Onkar Jairath, Mr. Amit Singh Chandel, Ms. Bhawna Sharma, Ms. Amita, Ms. Kavita Kajal, Mr. Uday Singh Banyal, Mr. Manohar Lal Sharma, Mr. Sunny Dhatwalia, Mr. Yogesh Kumar Chandel, Mr. Sanjay Gandhi, Mr. Ashwani Chawla, Mr. Karan Singh Parmar, Mr. Bhupender Kumar, Mr. Ashok Kumar, Mr. Shyama Chatterji, Mr. Shourya Sharma, Ms. Minakshi Sharma, Mr. Narender Sharma, Ms. Shikha Rajta, Mr. M.A. Safee, Mr. Shubham Sood, Mr. Prakash Sharma, Mr. Vijay Chaudhary, Mr. Devender Sharma, Mr. Ramesh Kumar Kaundal, Mr. H.S. Rangra, Mr. Rakesh Chauhan, Mr. Himanshu Kapila, Mr. Tek Chand Sharma, Mr. H.R. Bhardwaj, Mr. Praveen Chauhan, Mr. B. Nandan Vashisht, Mr. Pawan Kumar Sharma, Mr. Ashwani K. Sharma, Mr. Mohit Thakur, Mr. Vishwa Bhushan, Mr. Raj Kumar, Mr. Ajay Thakur, Mr. Devender K. Sharma, Mr. Gopal Singh, Mr. Ravi Kant Kaushal, Mr. S.D. Gill, Mr. Mandeep Chandel, Mr. Vinod Chauhan, Ms. Aanchal Singh, Mr. Sanjay K. Sharma, Mr. Ajeet Singh Saklani, Mr. Sohail Khan, Mr. Rajat Kumar, Mr. Aditya Chouhan and Mr. Om Prakash Goel, Ms. Narvada, Mr. Ramesh Kumar Kaundal, Mr. Bhupinder Kumar, Mr. Gurmeet Bhardwaj, Ms. Shikha Gupta, Mr. Mohit Thakur, Mr. Tarun Sharma, Mr. Ajay Thakur, Mr. Mandeep Chandel, Mr. Mohit Dogra, Mr. Vishal Singh Thakur, and Mr. Krishan Chand Chauhan, Mr. Rakesh Kumar Dogra, Mr. Kuldeep Chand, Mr. Ashish Verma, Mr. P.P. Chauhan, Mr. K.B. Khajuria, Mr. Sarthak Mehta, Mr. Mayank Sharma, Mr. Shivender Singh, Mr. M.L. Sharma, Mr. Sandeep Kumar Pandey, Mr. Bhim Raj Sharma, Mr. Ishmeet, Mr. Adarsh K. Vashista, Mr. Piyush Dhanotia, Mr. Naresh Verma, Advocates, for the respective petitioners.

Mr. Rakesh Dhaulta, Mr. Pranay Pratap Singh, Additional Advocate Generals and Ms. Priyanka Chauhan and Mr. Sidharth Jalta, Deputy Advocate Generals, for the respondent-State.

Mr. Kunal Mehta & Mr. Abhishek Nagta, Advocates, for respondents No.2 and 3 in CWP Nos.11085 and 11086 of 2024.

Ms. Shubh Mahajan, Mr. Dheeraj K. Vashishta, Mr. Raman Jamalta, Mr. Vinod Kumar Gupta, Advocates, for respondent-HRTC, in respective petitions.

Ms. Sunita Sharma, Senior Advocate with Mr. Dhananjay Sharma and Mr. Ravinder Thakur, Advocates, for respondent-HPSEBL, in respective petitions.

Mr. Shivank Singh Panta and Ms. Maheshwari Sharma, Advocate, for HPTDC, in respective petitions.

Mr. Devender Sharma, Advocate, for respondent No.2 & 3/High Court in CWP No.8501 of 2023.

Mr. Tek Ram Sharma, Mr. Tara Chand, Mr. Rangil Singh, Mr. Chitranjan Sharma and Ms. Komal Chaudhary, Advocates for the Accountant General, in the respective petitions.

The applications for amendment i.e. CMP Nos.11374 and 11383 of 2025 in CWP No.2108 of 2023 in ***Bhagat Ram's*** case (supra) and CWP No.12323 of 2024 titled as ***Rajesh Bakshi Vs. State of H.P. & Others***, respectively along with CMP No.11373 of 2025 [***Bhagat Ram's*** case (supra)] for impleading the State through its Finance Secretary, which is also essential in the facts and circumstances of the case need to be allowed. There is no

need as such to call for the reply to these applications for proposed amendment, since the pristine legal issue is involved as to whether the State can resort to the staggered payments in the manner by introducing the provision by way of a Rule. Accordingly, we allow the applications. The State is directed to file its reply to the amended writ petitions in these two cases.

Amended memo of parties be taken on record.

The aspect whether the judgments can be sustained, is not seriously contested by the large number of counsels, who are appearing in all these connected matters which are 440 in numbers, and by speaking order of even date 41 LPAs have been allowed, lead case of which is LPA No.109 of 2024 titled as ***State of H.P. & another Vs. Roshan Lal Khajuria & another.***

We are also informed that CWP No.8504 of 2025 titled as ***Madhu Deshta Vs. State of H.P. & Others*** is listed before the Coordinate Bench (DB-I), whereby the vires of the Rule has been challenged and notice has also been issued to State for **19.06.2025**. Accordingly, be heard with CWP No.8504 of 2025 as per Roster.

List on **19.06.2025**.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

22nd May, 2025
(munish/ankit)