

No.FinCA(3)9/2009
Government of Himachal Pradesh
Finance (Regulations) Department

Dated, Shimla-171002, the 25th Aug. 2011

From

Principal Secretary (Finance) to the
Government of Himachal Pradesh.

To

1. All the Principal Secretaries / Secretaries to the Government of Himachal Pradesh.
2. All the Heads of Departments in Himachal Pradesh.
3. All the Managing Directors of Boards and Corporations.
4. All the Deputy Commissioners in Himachal Pradesh.

Subject: Regarding contesting of the cases on the basis of the interim stay granted by Apex court- work charge status.


Sir,

I am directed to refer to the subject cited above and to say that the directions were issued by Hon'ble High Court of Himachal Pradesh in various Civil Writ Petitions for consideration of conferment of work charge status on the writ-petitioners/ respondents in terms of the policy instructions dated 3.4.2000 read with policy instructions dated 6.5.2000. These orders were contested by the State Government by way of filing an SLP in Hon'ble Supreme Court of India and the Hon'ble Supreme Court has granted an interim stay of the impugned judgements/orders of Hon'ble High Court of Himachal Pradesh on 01.08.2011 in CWP tilted as State of HP & Ors Versus Mangal Sain & Ors. etc. (copy enclosed).

2. I am further directed to say that in view of the interim stay granted by Apex Court, the decision of Hon'ble High Court, if any, in respect of conferment of work-charge status may be contested on the basis of the strength of this judgement by filing an LPA or the Review Petition, as the case may be, and also the reply to a CWP on this issue may be filed on the basis of these orders of Apex court, it being the sub-judice matter before the Hon'ble Supreme Court of India.

3. These orders may be brought to the notice of all concerned for immediate appropriate action.

Yours faithfully,


Deputy Secretary (Finance) to the
Government of Himachal Pradesh.

FROM :RITU RANDEVA

FAX NO. :91 11 23356776

Aug. 03 2011 04:32PM P2

& CWP NO. 5540/2010 & CWP No. 5917/2010 & CWP No. 5918/2010 & CWP
No. 5921/2010 & CWP No. 5993/2010 & CWP No. 5994/2010 & CWP No.
5996/2010 & CWP No. 5997/2010 & CWP No. 5998/2010 & CWP No.
6003/2010 & CWP No. 6459/2010 & CWP No. 6467/2010 & CWP No.
6472/2010 & CWP No. 6577/2010 & CWP No. 6578/2010 & CWP No.
7054/2010 & CWP No. 7055/2010 & CWP No. 7061/2010 & CWP No.
7063/2010 & CWP No. 7065/2010 & CWP No. 7072/2010 & CWP No.
7088/2010 & CWP No. 7091/2010 of The HIGH COURT OF H.P AT SHIMLA)

STATE OF H.P. & ORS.

Petitioner(s)

VERSUS

MANGAL SAIN & ORS.ETC.

Respondent(s)

With I.A.No.1-24 (C/delay in filing SLP,c/delay in refiling SLP and
office report)

WITH S.L.P.(C)...CC NO. 12689-12744 of 2011
(With appln. for c/delay in filing SLP office report)

Date: 01/08/2011 These Petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE R.V. RAVEENDRAN
HON'BLE MRS. JUSTICE GYAN SUDHA MISRA

For Petitioner(s) Mr. Govind Goel, Adv.
Mr. Mohan Lal Sharma, Adv.
Mr. Sanjay Kumar Yadav, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following
O R D E R

Delay condoned. Issue notice.

Interim stay of the impugned judgments/orders of
the High Court.

Tag with SLP(C) Nos.8830-8869/2011.

(Ravi P. Verma) (M.S. Negi)
AR-cum-PS Court Master