

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**COPC No.722 of 2026 a/w
CMPs No.14962 & 14963 of 2026
Reserved on :11.08.2026
Date of decision: 27.08.2026
Date of uploading on Website: 27.08.2026**

Amitesh Sharma and others

....Petitioners

Versus

Sandeep Kadam Vasant and another

...Respondents

Coram

Hon'ble Mr. Justice Sushil Kukreja, Judge

Whether approved for reporting?¹

For the petitioners : Mr. Onkar Jairath, Senior Advocate,
with Mr. Anshul Jairath, Advocate.

For the respondents : Mr. Manoj Chauhan, Additional
Advocate General.

Mr. Dilip Sharma, Senior Advocate,
with Mr. Manish Sharma, Advocate,
for the applicant/proposed intervener
in CMP No.14962/2026

Mr. Amit Kumar Dhumal & Ms.Parul
Negi, Advocates, for the applicants/
proposed respondents in CMP
No.14963 of 2026.

Sushil Kukreja, Judge (Oral)

The present contempt petition has been filed by
the petitioners under Section 12, read with Section 2(b) of
Contempt of Courts Act, 1971 for not complying with the

¹ Whether reporters of Local Papers may be allowed to see the judgment?

directions passed by a Coordinate Bench of this Court, vide judgment dated 19.12.2024, in *CWP No.2507 of 2021*. Relevant paras of the said judgment are reproduced as under:-

“3. When this case was taken up for consideration today, learned Senior Counsel appearing for the petitioners submits that without going into the merit of the issue, interest of justice would be served in case these petitions be disposed of with the direction that let appropriate call by the Authorities be taken on the recommendations as have been made by the groups of experts in terms of Minutes of the Meeting, dated 15.10.2020, appended with the petition as Annexure P-12.

4. Therefore, without expressing any opinion on the merit of the case, these petitions are disposed of with the direction that let appropriate call on the recommendations of the Committee, if already not taken, be positively taken within a period of six weeks from today. Pending miscellaneous application(s), if any, also stand disposed of accordingly.”

2. Thus, perusal of the aforesaid judgment reveals that the respondents were directed to take appropriate call on the recommendations of the Committee, if already not taken.

3. At the time of the disposal of the writ petition on 19.12.2024, on the statement of learned Senior Counsel for the petitioners, name of respondent No.4, namely, Ankush

Kapoor, was deleted from the array of the respondents as the petition was not pressed against the said respondent.

4. Vide notification dated 02.12.2025, the HP Technical Education, Vocational and Industrial Training Department Associate Professor (Engineering) Group-A, R & P Rules, 2025 were notified, which were to come into force from the date of publication in e-Gazette, Himachal Pradesh and the R & P Rules notified on 26.09.2016 were repealed.

5. The present contempt petition has been filed for the grant of following substantive reliefs:-

- "i. That this petition may kindly be allowed and appropriate proceedings may be initiated against the contemnors under the Contempt of Court Act 1972 for not implementing the order dated 19.12.2024 and order dated 09.05.2025, passed by this Hon'ble High Court in C.W.P. No.2507/2021 titled Amitesh Sharma & Ors. Versus State of HP & others.*
- ii. That respondent/condemner be directed to implement the judgment dated 19.12.2024 and order dated 09.05.2025, passed by this Hon'ble High Court in C.W.P. No.2507/2021 titled Amitesh Sharma & Ors. Versus State of HP & others. so as to take call on the recommendations by the expert committee in terms of Minutes of Meeting dated 15.10.2020."*

6. After hearing learned Senior Counsel for the petitioners as well as learned Additional Advocate General, learned Senior Counsel for the applicant/proposed intervener in CMP No.14962/2026 and learned counsel for the

applicants/proposed respondents in CMP No.14963 of 2026 at length, this Court is of the opinion that while passing judgment dated 19.12.2024, the Coordinate Bench of this Court had not adjudicated upon the merits of the case and had merely directed the competent authority to take appropriate decision upon the recommendations made by the Committee.

7. It may also be pertinent to mention here that the petitioners have also instituted **CWP No.15201 of 2025, titled Dr. Amit Kumar and others Vs. State of HP and others**, wherein the promotions granted in favour of some of the incumbents have specifically been challenged and the issue regarding legality and validity of their promotions was already sub-judice before the learned Writ Court. Vide order dated 19.09.2025, passed in the said CWP No.15201 of 2025, the interim application came to be disposed of with the observations that the promotions of the private respondents against the posts of Associate Professor, if any, shall be subject to the final outcome of the said writ petition. Therefore, in view of the aforesaid order dated 19.09.2025,

the controversy with regard to the promotions/regularization is pending adjudication before the learned Writ Court.

8. Since as per judgment dated 19.12.2024, the recommendations of the Expert Committee/Group of Experts were duly considered by the competent authority and consequently, the existing Recruitment and Promotion Rules, 2015 were revisited and thereafter the amended Rules were notified vide notification dated 02.12.2025, it is clear that the respondents have complied with the directions contained in judgment dated 19.12.2024, passed in CWP No.2507 of 2021, therefore, no further orders are required to be passed in the present contempt petition, as such, the same is dismissed. Notice discharged. Consequently, CMPs No.14962 and 14963 of 2026 are also dismissed.

9. However, if the petitioners are still aggrieved, they are at liberty to avail appropriate remedy, as available to them under the law.

The petition is disposed of, so also the pending application(s), if any.

August 27, 2026
(V. Himalvi)

(Sushil Kukreja)
Judge