IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Petition No.342 of 2020

Date of Decision: 31.8.2020

Ramesh Dutt ……Petitioner

Versus

Himachal Pradesh Road Transport & another

…... Respondents

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? [1]

For the Petitioner	: Mr. Ashok Kumar and Mr. Rakesh Kumar, Advocates, through video conferencing.
For the Respondents	: Mr. Ajay Chauhan, Advocate, through video conferencing.

Sandeep Sharma, Judge *(oral):*

By way of instant Execution Petition filed under Rule 16(1) of the H.P. High Court Original Side Rules, prayer has been made on behalf of the petitioner for issuance of directions to the respondents to implement/execute the judgment/order dated 25.3.2019, passed by the Erstwhile H.P. State Administrative Tribunal in OA No. 1150 of 2019, titled as ***Ram Pal and others versus Himachal Pradesh Road Transport Corporation and another.***

[1] *Whether the reporters of the local papers may be allowed to see the judgment?*

2. Careful perusal of aforesaid order/judgment, alleged to have been violated, reveals that learned Tribunal below having taken note of the statement made by learned counsel representing the petitioner that the case of the petitioner is squarely covered under the judgment dated 17.7.2014 rendered by this Court in CWP No.3050 of 2014, titled ***Nek Ram versus State of Himachal Pradesh and others,*** disposed of the original application with a direction to the respondents /competent authority to grant benefit of aforesaid judgment to the petitioner, if he is found to be similarly situate, within a period of three months from the date of production of certified copy of the order/judgment. Since despite there being specific direction to do the needful within a period of three months, respondents have failed to grant the benefit to the petitioner in terms of the judgment passed by this Court in ***Nek Ram's case supra***, petitioner has approached this Court in the instant proceedings.

3. Mr. Ajay Chauhan, learned counsel representing the respondents while accepting notice on behalf of the respondents,

states that though he has every reason to believe and presume that by now aforesaid judgment/order alleged to have been violated, must have been complied with, but if not, same would be complied with within a period of three weeks from today.

4. Consequently, in view of the fair statement made by learned counsel representing the respondents, this Court sees no reason to keep the present petition alive and as such, same is accordingly disposed of with the direction to the respondents to do the needful in terms of judgment/order dated 25.3.2019 passed by learned Tribunal below in OA No. 1150 of 2019, positively within a period of three weeks, if not already done, failing which, petitioner would be at liberty to get the present proceedings revived, so that appropriate action, in accordance with law, is taken towards implementation of the judgment/ order, sought to be executed in the instant proceedings.

(Sandeep Sharma),
Judge

August 31, 2020
(shankar)