IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Petition(T) No.297 of 2024

Date of Decision: 21.12.2024

Jalam Sharma .…….Petitioners

Versus

State of H.P. & others … Respondents

Coram:
Hon'ble Mr. Justice Sandeep Sharma, Judge.
Whether approved for reporting? [1]

For the Petitioner : Mr. Sandeep K. Pandey, Advocate.

For the Respondents: Mr. Pushpinder Jaswal, Additional Advocate General and Mr. Rajat Chauhan, Law Officer.

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 09.01.2019 passed by erstwhile H.P. Administrative Tribunal in O.A. No.159 of 2019, titled **Jalam Sharma vs. State of Himachal Pradesh and others.**

2. Careful perusal of aforesaid order/judgment alleged to have been violated, reveals that the Tribunal below having taken note of the statement made by learned counsel representing the petitioner that the case of the petitioner is squarely covered by the judgment

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

dated 21.12.2010 passed by this Court in CWP(T) No.8964 of 2008, titled **Prem Raj and others vs. State of Himachal Pradesh and others,** disposed of the petition with a direction to the respondents/competent authority to extend the benefit of the afore judgment to the petitioner in case, he is similarly situate, within a period of three months. Since, despite there being specific direction to do the needful, as taken note above, respondents failed to grant the benefit to the petitioner in terms of aforesaid judgment, petitioner has approached this Court in the instant proceedings.

3. Mr. Pushpinder Jaswal, learned Additional Advocate General, 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 six weeks from today.

4. Consequently, in view of the fair statement made by learned Additional Advocate General, 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 the judgment dated 09.01.2019, positively within a period of six weeks, if not already done, failing which, petitioner would be at liberty to get the present proceedings revived, so that appropriate

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action, in accordance with law, is taken towards implementation of the judgment/ order, sought to be executed in the instant proceedings.

(Sandeep Sharma),
Judge

December 21, 2024
(shankar)