
(2020) 10 SHI CK 0134
In the High Court Of Himachal Pradesh
Case No : Execution Petition No. 236 Of 2020

Dhar	Vs	APPELLANT
Himachal Road Transport Corporation & Others		RESPONDENT

Date of Decision : 14-10-2020

Acts Referred:

Citation : (2020) 10 SHI CK 0134

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Manohar Lal Sharma, Ajay Chauhan

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. With the consent of learned Counsel for the parties, this petition is taken up for consideration today itself.

2. By way of this petition, the petitioner has prayed for execution of the order passed by erstwhile learned Himachal Pradesh Administrative Tribunal in O.A. 2298 of 2019, titled as Shri Dhar Versus Himachal Road Transport Corporation and others, dated 11.06.2019, which original application stood disposed of by the learned Tribunal in the following terms:-

"4. The learned vice Counsel appearing on behalf of the applicant submits at the very outset that the case of the applicant is squarely covered under judgment dated 17.7.2014, Annexure A-2, rendered by the Hon'ble High Court of Himachal Pradesh in CWP No.3050/2014, Nek Ram Versus State of Himachal Pradesh and others.

5. The learned Standing Counsel states that subject to verification of records, if it is found that the applicant is similarly situate as the petitioner in the aforesaid CWP No.3050/2014, his case shall also be considered accordingly.

6. In view of the above, the original application is disposed of in terms of the aforementioned judgment in CWP No.3050/2014, with a direction to the respondents/competent authority that subject to the above verification and on finding the applicant to be similarly situate as above, benefit of the said judgment, if the same has attained finality/ implemented, shall be extended to him alongwith consequential benefits, if any, as per law, within three months from the date of production of certified copy of this order before the said authority by the applicant".

3. Having heard learned Counsel for the parties, this execution petition is disposed of at this stage itself by directing that the order passed by learned Tribunal be implemented by the respondents in letter and spirit on or before 31.12.2020, if not already implemented. It is clarified that this Court has not expressed any view on the merit of the case. In case appropriate orders are not passed on or before 31.12.2020, then petitioner shall be at liberty to revive this execution petition by filing appropriate application in this regard.

The execution petition stands disposed of in above terms, so also pending miscellaneous application(s), if any.