
(2021) 07 SHI CK 0153
In the High Court Of Himachal Pradesh
Case No : Execution Petition No.148 Of 2021

Jagdish Kumar

APPELLANT

Vs

Himachal Road Transport Corporation And Others

RESPONDENT

Date of Decision : 14-07-2021

Acts Referred:

High Court Of Himachal Pradesh. (Original Side) Rules, 1997 — Rule 16(1)

Citation : (2021) 07 SHI CK 0153

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : H.S.Rangra, Vikas Rajput

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. 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 11.05.2018, passed by erstwhile H.P. State

Administrative Tribunal in OA(M) No.302 of 2018, titled as Jagdish Kumar vs. Himachal Pradesh Road Transport Corporation and others.

2. Careful perusal of aforesaid order/judgment (Annexure P-1) 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 one month 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 one month, respondents have failed to grant the benefit to the petitioner in terms of the judgment passed

by this Court in Nek Ramâ??s case supra, petitioner has approached this Court in the instant proceedings.

3. Mr. Vikas Rajput, 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

11.05.2018, passed by erstwhile H.P. State Administrative Tribunal in OA(M) No.302 of 2018, 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.