
(2023) 04 SHI CK 0003
In the High Court Of Himachal Pradesh
Case No : CWPOA No. 232 Of 2019

Mohan Singh And Others

APPELLANT

Vs

State Of Himachal Pradesh And Others

RESPONDENT

Date of Decision : 01-04-2023

Acts Referred:

Citation : (2023) 04 SHI CK 0003

Hon'ble Judges : Ajay Mohan Goel, J

Bench : Single Bench

Advocate : Surender Sharma, Pushpender Jaswal, Gautam Sood

Final Decision : Disposed Of

Judgement

Ajay Mohan Goel, J

1. By way of this petition, the petitioners have prayed for the following reliefs:-

"It is, therefore, most respectfully prayed that keeping in view the submissions made hereinabove, the respondents may kindly be directed to consider the candidatures of the applicants for the post of Physical Education Teacher on batch-wise basis against the vacancies/posts being filled up by the respondents provisionally, or in the alternative, the respondents may kindly be restrained from filling up of the posts of Physical Education Teachers during the pendency of present original application, in the interest of justice."

2. When the case was taken up for consideration, learned counsel for the petitioners has submitted that the case of the petitioners is now squarely covered by judgment dated 19th July, 2022, passed by the Hon'ble Co-ordinate Bench of this Court in CWPOA No. 3573 of 2019, titled as Sh. Yog Raj and others Vs. The State of H.P. and another and connected matters. He further submitted that though the judgment passed by Hon'ble Co-ordinate Bench has been assailed by way of a Letters Patent Appeal by certain private individuals, yet the Government is in the process of implementation of the said judgment.

3. Learned Additional Advocate General has submitted that the case of the petitioners is not covered by the judgment being relied upon by learned counsel for the petitioners.

4. Be that as it may, having heard learned counsel for the parties, without adjudication on merit, this writ petition is disposed of with the direction that let the grievance raised by the petitioners herein be gone into by the competent authority by keeping in mind the judgment dated 19th July, 2022, passed by the Hon'ble Co-ordinate Bench of this Court in CWPOA No. 3573 of 2019, titled as Sh. Yog Raj and others Vs. The State of H.P. and another, being relied upon by learned counsel for the petitioners and necessary orders be passed within a period of two weeks from today. Miscellaneous applications, if any, also stand disposed of.