

(2023) 12 SHI CK 0046

In the High Court Of Himachal Pradesh

Case No : COPC No.443 Of 2023, Civil Writ Petition No. 5144 Of 2023

Naresh Joshi

APPELLANT

Vs

Virender Sharma & Anr

RESPONDENT

Date of Decision : 14-12-2023

Acts Referred:

Citation : (2023) 12 SHI CK 0046

Hon'ble Judges : Ranjan Sharma, J

Bench : Single Bench

Advocate : Radhey Shyam Gautam, Archana Dutt, Ravi Chauhan

Final Decision : Disposed Of

Judgement

Ranjan Sharma, J

1. Notice. Ms. Archana Dutt, learned Standing Counsel and Mr. Ravi Chauhan, learned Deputy Advocate General appear and waive service of notice on behalf of respondent No.1 and respondent No.2, respectively.

2. This Court had passed the following order in University and another, on 07.08.2023, which read as under:-

"4. Learned counsel for the petitioner submitted that the issue raised in this petition is squarely covered by the judgment rendered by the Hon'ble Single Bench of this Court in CWPOA No.208/2020 (Durga Ram Vs. Himachal Pradesh University & Anr. alongwith connected matters), decided on 18.10.2022. Learned counsel for the petitioner further submitted that the petitioner would be content in case the respondents/competent authority are directed to consider and decide the case of the petitioner in light of the law laid down in the aforesaid judgment, in a time bound manner. Prayer is not opposed by learned counsel for the respondents.

5. In this view of the matter, the writ petition is disposed of by directing the respondents/competent authority to consider and decide the case of the

petitioner in light of the aforesaid judgment and in case, the petitioner is found to be similarly situated, then the benefit extended to the petitioner in the aforesaid judgment, shall also be extended to the petitioner in the instant case also. The entire exercise be completed within six weeks from today. The decision so arrived at shall also be communicated to the petitioner.”

3. At the very outset, Ms. Archana Dutt, learned Standing Counsel, submits that in case the judgment dated 07.08.2023, (Annexure C-1), has not been implemented and the consideration order has not been passed till day, therefore, the same shall be considered and appropriate orders shall be passed within six weeks from today and the same shall be conveyed to the petitioner also.

4. In view of the statement so made, the present Contempt Petition is closed with a direction to the respondents to implement the judgment dated 07.08.2023 (Annexure C-1), within six weeks from today.

In case the judgment dated 07.08.2023 (Annexure C-1), is not implemented by passing the necessary consideration order, the petitioner is free to seek revival of the instant Contempt petition.