
(2020) 07 SHI CK 0348
In the High Court Of Himachal Pradesh
Case No : Execution Petition No. 29 Of 2020

Onkar Chand

APPELLANT

Vs

Himachal Road Transport Corporation & Others

RESPONDENT

Date of Decision : 06-07-2020

Acts Referred:

Himachal Pradesh (Original Side) Rules, 1997 — Rule 16

Citation : (2020) 07 SHI CK 0348

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Amar Dev Sharma, Shubh Mahajan

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By way of instant Execution Petition filed under Rule 16 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 25.6.2019, passed by the Erstwhile H.P. State Administrative Tribunal in OA No.2477 of 2019, titled as Onkar Chand versus Himachal Road Transport Corporation and others,

2. Careful perusal of aforesaid order/judgment, alleged to have been violated, (Annexure P-1), reveals that learned Tribunal below having taken note of the statement made by the 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, directed the respondents/competent authority to consider the case of the petitioner in the light of the aforesaid judgment rendered by this Court expeditiously, preferably within a period of three months. Since despite there being specific direction to do the needful within a period of three months, respondents have failed to grant the benefit to the petitioner in

terms of the judgment passed by this Court in Nek Ram's case supra, petitioner has approached this Court in the instant proceedings.

3. Ms. Shubh Mahajan, learned counsel representing the respondents while accepting notice on behalf of the respondents, states that though she 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 25.6.2019 passed by learned Tribunal below in OA No. 2477 of 2019, 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. Notices issued to the respondents are hereby discharged accordingly.