

(2020) 07 SHI CK 0330

In the High Court Of Himachal Pradesh

Case No : Execution Petition No. 254 Of 2020

Punam Kumari And Ors

APPELLANT

Vs

State Of H.P. And Anr

RESPONDENT

Date of Decision : 07-07-2020

Acts Referred:

Himachal Pradesh (Original Side) Rules, 1997 — Rule 16(1)

Citation : (2020) 07 SHI CK 0330

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Surinder Saklani, Arvind Sharma, Kunal Thakur

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By way of present execution petition filed under Clause 16 of the HP High Court (Original Side) Rules, prayer has been made on behalf of the petitioners for implementation and execution of order/judgment dated 17.8.2018, passed by the Erstwhile HP State Administrative Tribunal in OA No. 4839 of 2018, whereby the Tribunal below having taken note of the statement made by the learned counsel for the petitioners that their case is squarely covered by the judgment dated 21.4.2010, rendered by this Court in CWP(T) No. 5253 of 2008 titled Narain Singh v. State of HP and Ors., as upheld vide common judgment dated 1.9.2015 in LPA No. 146 of 2010, titled State of H.P. and Ors. v. Narain Singh (a/ w connected matters) directed the respondents to consider the case of the applicants strictly in light of aforesaid judgment and grant similar benefit to them, if they are found to be similarly situate within a period of three months from the date of production of certified copy of the order. Since no action, whatsoever, came to be taken at the behest of the respondents pursuant to aforesaid direction issued by the Tribunal, petitioner has approached this Court in the instant proceedings.

2. Mr. Arvind Sharma, learned Additional Advocate General, representing the respondents states that though he has every reason to presume and believe that by now, order/judgment alleged to have been violated must have been complied with in its totality, but if not, same would be definitely complied with within a period of four weeks from today.

3. Consequently, in view of the fair stand adopted by the learned Additional Advocate General, this Court sees no reason to keep present petition alive and accordingly, same is disposed of with direction to the respondents to do the needful in terms of judgment alleged to have been violated within a period of four weeks, failing which, petitioners would be at liberty to get the present petition revived so that appropriate action in accordance with law is taken against the erring officials.