

(2022) 03 SHI CK 0009

In the High Court Of Himachal Pradesh

Case No : Execution Petition (T) No. 300 Of 2021

Roshan Lal And Others

APPELLANT

Vs

State Of HP Through And Others

RESPONDENT

Date of Decision : 05-03-2022

Acts Referred:

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

Citation : (2022) 03 SHI CK 0009

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Onkar Jairath, Sudhir Bhatnagar, Desh Raj Thakur, Narinder Thakur, Kamal Kishore, Gaurav Sharma

Final Decision : Disposed Of

Judgement

Sandeep Sharma, J

1. By way of instant petition filed under Rules 16(I) of the High Court of Himachal Pradesh Original Side Rules, 1997, prayer has been made for implementation of order dated 17.8.2018 passed by erstwhile Himachal Pradesh Administrative Tribunal in OA No. 4930 of 2018 titled Gopal Singh and others v. State of Himachal Pradesh and others, whereby learned Tribunal, on the basis of statement made by learned Counsel appearing for the petitioner that the case of petitioner is covered by judgment dated 21.4.2010 passed by this Court in CWP(T) No. 5253 of 2008, Narain Singh v. State of Himachal Pradesh and others, upheld vide common judgment dated 1.9.2015 passed by this court in LPA No. 146 of 2010, State of Himachal Pradesh and other v. Narain Singh and other connected matters, disposed of the Original Application with a direction to the respondents to consider the case of the petitioner, subject to verification that he is similarly situate to the persons in the judgment supra, within three months from the date of production of a certified copy of the order. Since the respondents have failed to implement the order of the Himachal Pradesh Administrative Tribunal, petitioner has approached this Court in the instant

proceedings, seeking implementation of the order passed by Himachal Pradesh Administrative Tribunal.

2. Mr. Sudhir Bhatnagar, learned Additional Advocate General, while accepting notices on behalf of the respondents, stated that though he has reasons to believe that the order in question stands implemented, but if not, same would be complied with, within a period of three weeks.

3. Consequently, in view of the fair stand taken by learned Additional Advocate General, this Court sees no reason to keep the present petition alive and same is disposed of with a direction to the respondents to do the needful in terms of order (supra), within three weeks, failing which petitioner would be at liberty to get the present petition revived, so that appropriate steps towards execution of the order in question are taken. Petition stands disposed of in above terms.