

CWP No. 294 of 2010

21.5.2015

Present: Ms. Jyotsna Rewal Dua, Advocate, for the petitioner.

Mr. J.S. Rana, Assistant Advocate General for respondents No. 1 to 3.

Mr. Ajay Sharma, Advocate, for respondent No.4.

Mr. Lalit Sehgal, Advocate, for respondent No.5.

Heard. Petition perused. As per relief clause petitioner has sought the appointment to the post of Gram Rojgar Sewak Paonta Development Block District Sirmour. Remuneration to Gram Rojgar Sewak Paonta Development Block Poanta is paid from the public exchequer controlled by the State Government. Court is of the opinion that matter in dispute is service matter as defined in Section 3 (q) of Administrative Tribunal Act 1985. In view of notification No.GSR 926-E 2014 dated 29.12.2014 issued in Gazette of India and in view of notification No.Per(AP-B) (B) (15)4/2015 dated 25.3.2015 issued by State Government case is transferred under Section 29 of the H.P. State Administrative Tribunal Act 1985. Be listed before the H.P. State Administrative Tribunal on date **8.12.2015** for effective hearing.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

FAO No. 370 of 2014

21.5.2015

Present: Mr. Deepak Bhasin, Advocate, for the appellant.

CMP No. 4342 of 2015

Application filed under Order 5 Rule 20 read with Section 151 CPC for substituted service of co-respondents No. 1, 2 and 4. Heard. Application is supported with an affidavit. Record perused. Court is satisfied that co-respondents No. 1, 2 and 4 cannot be served by way of ordinary service. Hence it is ordered that co-respondents No. 1, 2 and 4 will be served by way of substituted service in newspaper "Umar Ujalla" for 2.7.2015. Notice will also be placed upon notice board and notice will also be placed where the co-respondents No. 1, 2 and 4 lastly resided and worked for gain. PF and publication charges etc. be deposited within fortnight. Application is disposed of.

FAO No. 370 of 2014

Be listed on **2.7.2015.**

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr. Revision No. 4118 of 2013

21.5.2015

Present: Mr. Varun Rana, Advocate, for the petitioner.

Mr. J.S. Rana, Assistant Advocate General for the respondent.

Cr.MP No. 417 of 2015

Application filed for releasing of driving license of applicant for renewal purpose. Learned Advocate appearing on behalf of the non-applicant submitted that non-applicant does not want to file any reply to this application and he has no objection if the driving license is released for renewal purpose only. In view of the above stated facts application is allowed in the ends of justice and it is ordered that driving license will be returned to the applicant and certified copy of the driving license will be placed on record. After renewal of driving license the same will be deposited and will be annexed with the case file. Driving license be renewed within eight weeks. Application is disposed of.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

21.5.2015

Present: Mr. G.D. Verma, Sr. Advocate with Mr. B.C. Verma, Advocate, for the petitioner.

Mr. J.S. Rana, Assistant Advocate General for the respondent.

Cr.MP No. 415 of 2015

Application filed under Section 482 Cr.P.C. There is recital in the application that despite interim order passed by this Court on 11.9.2014 wherein entire record pertaining to the proceedings Ext. P-1 to Ext. P-3 was immediately called for by the High Court proceedings are still under process before the learned trial Court. Application is supported with an affidavit. Learned Assistant Advocate General submitted that he does not want to file any reply this application. In view of the affidavit filed along with the application and in view of the fact that learned Assistant Advocate General submitted that he does not want to file any reply to this application entire proceedings before the learned trial Court in case No. 89/4 of 2014 titled State vs. Pawan Kumar are stayed. Certified copy of order be transmitted to learned trial Court for compliance. Learned Registrar (Judicial) will ensure the compliance of the order. Application is disposed of.

Cr.MMO No. 194 of 2014

Entire record of case No. 89/4 of 2014 be
call for returnable within four weeks. Be listed
thereafter.

Dasti copy.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr. Revision No. 110 of 2015

21.5.2015

Present: Mr. Sunil Mohan Goel, Advocate, for the petitioner.

Cr. Revision No. 110 of 2015

As per Registry report notice issued to sole respondent not received back. Fresh notice be issued to the respondent returnable within four weeks. Be listed on **18.6.2015**.

Cr.MP 396 of 2015

Application filed under Section 482 Cr.P.C. for extension of time to comply with the interim order dated 29.4.2015. Notice to non-applicant be issued returnable within four weeks. Be listed along with main revision petition.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr. Revision No. 111 of 2015

21.5.2015

Present: Mr. Sunil Mohan Goel, Advocate, for the petitioner.

Cr. Revision No. 111 of 2015

As per Registry report notice issued to sole respondent not received back. Fresh notice be issued to the respondent returnable within four weeks. Be listed on **18.6.2015**.

Cr.MP 395 of 2015

Application filed under Section 482 Cr.P.C. for extension of time to comply with the interim order dated 29.4.2015. Notice to non-applicant be issued returnable within four weeks. Be listed along with main revision petition.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

CMPMO No. 18 of 2015

21.5.2015

Present: Mr. Lovneesh Kanwar, Advocate, for the petitioner.

Mr. Ajay Chandel, Advocate, for respondents No. 1, 2, 4 to 6, 8 to 11, 13 and 14.

As per Registry report steps for bring on record the LR's of co-respondents No. 3, 7 and 12 not taken. Learned Advocate appearing on behalf of the petitioner sought time. Granted in the ends of justice. Steps be taken within three weeks. Be listed thereafter.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

FAO No. 411 of 2014

21.5.2015

Present: Mr. Surender Verma, Advocate, vice
counsel, for the appellants.

Mr. Arvind Sharma, Advocate, for the
respondent.

FAO No. 411 of 2014

Be listed for arguments in due course of
time.

CMP No. 17350 of 2014

Application filed under Section 24 of the
Hindu Marriage Act 1955. Court has perused the
contents of the application and reply filed by non-
applicant. Parties are directed to file affidavits relating
to the income of Sh. Vijay Kumar and Smt. Saroj
Kumari. Affidavits be filed within two weeks. Be listed
for consideration on **19.6.2015**.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

CWP No. 7553 of 2014

21.5.2015

Present: Ms. Meena Thakur, Advocate, for the petitioner.

Ms. Sharmila Patial, Advocate, for the respondents.

As per relief clause petitioner has sought the relief of regularization of service in Electricity Board controlled by the State Government. Matter in dispute is service matter as defined in Section 3 (q) of Administrative Tribunal Act 1985. In view of notification No.GSR 926-E 2014 dated 29.12.2014 issued in Gazette of India and in view of notification No.Per(AP-B) (B) (15)4/2015 dated 25.3.2015 issued by State Government case is transferred under Section 29 of the H.P. State Administrative Tribunal Act 1985. Be listed before the H.P. State Administrative Tribunal on date **8.12.2015** for effective hearing.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

CWP No. 1807 of 2014

21.5.2015

Present: Ms. Dalip K. Sharma, Advocate, for the petitioner.

Mr. J.S. Rana, Assistant Advocate General, for respondents No. 1 to 3 and 13.

Mr. O.P. Negi, Advocate, for respondent No.12.

As per Registry report steps for the service of respondents No. 4 to 11 not taken. Steps be taken within one week. Thereafter notice to respondents No. 4 to 11 be issued returnable within four weeks. Be listed thereafter.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

CMP(M) No. 1040 of 2014
in FAO No. ____/2015

21.5.2015

Present: Mr. H.C. Sharma, Advocate, for the
applicant.

Mr. Rajiv Rai, Advocate, for respondent
No.1.

Mr. Aman Sood, Advocate, for respondent
No.2.

CMP(M) No. 1040 of 2014

Application filed under Section 5 of the
Limitation Act. Reply already stood filed on behalf of
non-applicant No.2. Learned Advocate appearing on
behalf of non-applicant No.1 submitted that he adopts
the reply filed on behalf of non-applicant No.2. Learned
Advocate appearing on behalf of the applicant sought
time for filing rejoinder. Granted in the ends of justice.
Rejoinder be filed within two weeks. Be listed for
consideration on **3.6.2015**.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

FAO No. 365 of 2014

21.5.2015

Present: Mr. Jagdish Thakur, Advocate, for the appellant.

Mr. Karan Singh Kanwar, Advocate, for respondents No. 1 to 5.

Mr. Rajneesh K. Lal, Advocate, for respondent No.6.

As per report of the Registry steps for service of co-respondent No. 7 not taken. Learned Advocate appearing on behalf of the appellant submitted that he has already filed application for substitution service in the Registry. Same be placed on record. Be listed after two weeks.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Ex. Petn. No. 19 of 2014

21.5.2015

Present: Mr. G.C. Gupta, Sr. Advocate with Ms. Meera Devi, Advocate, for the decree holder.

Mr. Ajay Kumar, Sr. Advocate with Mr. Dheeraj Vashishta, Advocate, for the judgment debtor.

Compromise decree was passed in Civil Suit No. 542 of 2008 under Order 23 Rule 3 as per compromise Ext. P-1 and Ext. P-2. Compromise agreement Ext. P-1 and Ext. P-2 are also part and parcel of the decree sheet. Court is of the opinion that in order to execute the decree certified copy of Ext. P-1 and Ext. P-2 filed in C.S. No. 542 of 2008 are essential. Parties are directed to file certified copy of Ext. P-1 and Ext. P-2 which are part and parcel of the decree sheet. Same be filed within four weeks. Learned Advocate appearing on behalf of the objector submitted that separate execution petition relating to same decree also stood filed in the H.P. High Court bearing No. 11 of 2015. Same be also listed along with the present execution petition on **1.7.2015**.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

RFA No. 153 of 2003

21.5.2015

Present: None for the appellants.

Mr. G.D. Verma, Sr. Advocate with Mr. B.C. Verma, Advocate for respondent No.1.

None appeared on behalf of the appellants.

Learned Advocate appearing on behalf of respondent No.1 sought time for arguments. Granted in the ends of justice. Be listed for arguments after two weeks.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

RSA No. 62 of 2003

21.5.2015

Present: Mr. Neeraj Gupta, Advocate, for the
appellant.

Ms. Tim Saran, Advocate, vice counsel for
respondents No. 1 to 5.

Learned Advocate appearing on behalf of
the respondents sought time for arguments. Granted in
the ends of justice. Be listed for arguments on
28.5.2015.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

RSA No. 277 of 1996 a/w RFA No. 105 of 1994, RSA No. 282 of 1996, RFA Nos. 327 of 1997, 35, 191 of 1998 and 45 of 1999.

RSA No. 277 of 1996.

21.5.2015 Present: Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellants.

Mr. Ashok Sharma, ASGI, for respondent No.1.

Mr. J.S. Rana, Assistant Advocate General, for respondents No. 2 and 3.

RFA No. 105 of 1994

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellants.

Mr. J.S. Rana, Assistant Advocate General for respondents No. 1, 3 and 4.

Mr. Ashok Sharma, ASGI, for respondent No. 2.

RSA No. 282 of 1996

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellants.

Mr. Ashok Sharma, ASGI, for respondent No. 1.

Mr. J.S. Rana, Assistant Advocate General for respondent No.2.

RFA No. 327 of 1997

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellant.

Mr. J.S. Rana, Assistant Advocate General for respondents No. 1 to 3.

Mr. Ashok Sharma, ASGI, for respondent No. 4.

RFA No. 35 of 1998

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellant.

Mr. J.S. Rana, Assistant Advocate General for respondents No. 1 to 3.

RFA No. 191 of 1998

Mr. J.S. Rana, Assistant Advocate General for the appellants.

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the respondent.

RFA No. 45 of 1999

Mr. Ajay Kumar, Senior Advocate, with Mr. Dheeraj K. Vashisht, Advocate, for the appellants.

Mr. K.D.Sood, Senior Advocate, with Mr. MukulSood, Advocate, for respondent No.1.

Mr. Ashok Sharma, ASGI, for respondent No. 2.

Learned Advocates appearing on behalf of the parties sought time for arguments. Granted in the ends of justice. Be listed for arguments on **19.6.2015**.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr.MMO No. 120 of 2015

21.5.2015

Present: Mr. Rahul Mahajan, Advocate, for the petitioners.

Mr. J.S. Rana, Assistant Advocate General, for respondent No.1.

Cr.MMO No. 120 of 2015

Response not filed. Learned Assistant Advocate General sought time for filing response. Granted in the ends of justice. Response be filed within ten days. Interim order dated 15.5.2015 relating to filing of affidavit also not complied with. Same be complied within ten days. Be listed on **5.6.2015**.

Cr.MP 391 of 2015

Learned Assistant Advocate General sought time for filing reply. Granted in the ends of justice. Reply be filed within ten days. Be listed for consideration along with main petition.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr.MP)M) No. 522 of 2015

21.5.2015

Present: Mr. J.L. Bhardwaj, Advocate, for the
petitioner.

Mr. J.S. Rana, Assistant Advocate General,
for the respondent.

Arguments heard. Order reserved.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr. Revision No. 132 of 2015

21.5.2015

Present: Mr. I.S. Chandel, Advocate, for the petitioner.

Mr. J.S. Rana, Assistant Advocate General, for the respondent.

Cr.MP(M) No. 491 of 2015

Application filed under Section 5 of the Limitation Act for condonation of delay. Learned Assistant Advocate General submitted that he does not want to file reply. Application is supported with affidavit. In the absence of counter affidavit application is allowed in the ends of justice. Application filed under Section 5 of the Limitation Act is disposed of accordingly.

Cr. Revision 132 of 2015

Be registered. Notice. At this stage learned Assistant Advocate General appears and waives service of notice on behalf of the respondent. Record of learned trial Court as well as learned lower appellate Court be also called for returnable within four weeks. Be listed thereafter.

Cr.MP No.259 of 2015

Notice. At this stage learned Assistant Advocate General appears and waives service of notice on behalf of the non-applicant. Learned Assistant Advocate General sought time for filing reply. Granted in the ends of justice. Reply be filed within four weeks.

In the meanwhile execution of sentence passed by the learned trial Court and affirmed by the learned first appellate Court suspended till further orders on furnishing of personal security bond to the tune of Rs. 50,000/- (Rupees fifty thousand) with two sureties in the like amount to the satisfaction of learned trial Court within fortnight undertaking therein to receive the sentence whenever and wherever called upon to do so in case revision petition fails. Learned Advocate appearing on behalf of the applicant submitted that fine already stood deposited. Be listed along with main revision petition.

Dasti copy.

**(P.S. Rana)
Judge.**

21st May, 2015.
(kck)

Civil Suit No. 1 of 2014

21.5.2015 Present: Mr. Dushyant Dadwal, Advocate, for the plaintiff.

Defendant already ex-parte.

One witness examined. Learned Advocate appearing on behalf of the plaintiff has closed the evidence of the plaintiff in affirmative vide separate statement placed on record. Now be listed for arguments after two weeks.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Civil Revision No. 142 of 2012

21.5.2015 Present: Mr. G.D. Verma, Sr. Advocate with Mr. B.C. Verma, Advocate, for the petitioner.

Mr. Atul Jhingan, Advocate, for respondent No.1.

List on **22.5.2015.**

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr.MMO No. 82 of 2014

21.5.2015

Present: Mr. S.D. Gill, Advocate, for the
petitioner.

Mr. J.S. Rana, Assistant Advocate General,
for respondent No.1

Mr. Sunil Mohan Goel, Advocate, for
respondents No. 2 and 3.

List on **28.5.2015.**

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

Cr.MMO No. 83 of 2014

21.5.2015

Present: Mr. S.D. Gill, Advocate, for the
petitioner.

Mr. J.S. Rana, Assistant Advocate General,
for respondent No.1

Mr. Sunil Mohan Goel, Advocate, for
respondent No. 2.

List on **28.5.2015.**

(P.S. Rana)
Judge.

21st May, 2015.
(kck)

CWP No. 2805 of 2011

21.5.2015

Present: Mr. Vinay Kuthiala, Sr. Advocate with Mr. Rahul Majahan, Advocate, for the petitioners.

Mr. J.S. Rana, Assistant Advocate General, for respondent –State.

Mr. K.D. Sood, Sr. Advocate with Mr. Sanjeev Sood, Advocate, for respondent No.1.

Mr. Angrej Kapoor, Advocate vice counsel for respondents No. 4 and 5.

CMP No. 5525 of 2015

Arguments heard. Order reserved.

(P.S. Rana)
Judge.

21st May, 2015.
(kck)