

**CWPOA No.5326 of 2019 a/w
CWPOA Nos. 3496 of 2020 and CWP Nos. 3690 and
3691 of 2021**

CWPOA No.5326 of 2019

10.11.2021 Present: Mr. Sunil Mohan Goel, Advocate, for the petitioners.

Mr. Desh Raj Thakur, Additional Advocate General with Mr. Narender Thakur, Mr. Kamal Kishore Sharma and Mr. Gaurav Sharma, Deputy Advocate Generals, for the respondent-State.

Mr. Anubhav Chopra, Advocate, for respondents No.2 to 12.

CWPOA No. 3496 of 2020

Mr. Sunil Mohan Goel, Advocate, for the petitioners.

Mr. Desh Raj Thakur, Additional Advocate General with Mr. Narender Thakur, Mr. Kamal Kishore Sharma and Mr. Gaurav Sharma, Deputy Advocate Generals, for the respondent-State.

Mr. D.K.Khanna, Advocate, for respondent No.2.

Mr. Jagdish Thakur, Advocate, for proposed respondent No.19.

CWP No.3690 of 2021

Mr. K.D.Shreedhar, Senior Advocate with Ms. Shreya Chauhan, Advocate, for the petitioners.

Mr. Desh Raj Thakur, Additional Advocate General with Mr. Narender Thakur, Mr. Kamal Kishore Sharma and Mr. Gaurav Sharma, Deputy Advocate Generals, for the respondent-State.

Mr. Hamender Singh Chandel, Advocate, for respondents No.3 and 4.

Mr. Sunil Mohan Goel, Advocate, for respondents No. 6 to 8.

Mr. Dilip Sharma, Senior Advocate with Mr. Manish Sharma, Advocate, for respondents No.11 to 13/ interveners.

CWP No.3691 of 2021

Mr. K.D.Shreedhar, Senior Advocate with Ms. Shreya Chauhan, Advocate, for the petitioners.

Mr. Desh Raj Thakur, Additional Advocate General with Mr. Narender Thakur, Mr. Kamal Kishore Sharma and Mr. Gaurav Sharma, Deputy Advocate Generals, for the respondent-State.

Mr. Sanjay Verma, Advocate vice Ms. Shalini Thakur, Advocate, for respondent No.3.

Mr. Dilip Sharma, Senior Advocate with Mr. Manish Sharma, Advocate, for respondents No.6 to 8/ interveners.

Though, pleadings in the case are complete and parties stand duly represented, but since considerable time is likely to be consumed in the final conclusion of the petitions at hand, learned counsel representing the parties are in agreement that interim order dated 7.7.2021 can be modified to the extent that the promotion to the post of Superintending Engineer can be made out of regular Executive Engineer. In view of aforesaid consensus among learned counsel representing the parties, interim order dated 7.7.2021, is modified to the aforesaid extent and respondent-Department is permitted to make promotion to the post of Superintending Engineer out of regular Executive Engineer in the feeder cadre. Since, there is no dispute *interse* parties that judgment dated 30th December, 2020 passed by this Court in CWP No.901 of 2020, titled *Parveen Kumar and another versus State of Himachal Pradesh and others* has been not laid challenge by either of the parties in the superior Court of law and same has

attained finality coupled with the fact that respondent-State in its reply has categorically stated that steps are being taken to implement the directions contained in the aforesaid judgment on the basis of representations having been made by the affected parties, this Court hopes and trust that necessary action towards implementation of the aforesaid judgment shall be taken by the concerned department expeditiously, preferably within a period of four weeks, so that entire controversy, as has been raised in the instant petitions, is resolved for all times to come.

List on 15.12.2021, by which date, necessary affidavit of compliance shall be filed by respondent No.1.

**(Sandeep Sharma),
Judge**

10th November, 2021
(Shankar)