

Sanjeev Kumar v. State

Execution Petition (T) No. 23 of 2023

21.8.2023

Present Mr. Dilip Sharma, Senior Advocate with Mr. Manish Sharma, Advocate, for the petitioners.

Mr. Anoop Rattan, Advocate General with Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for the respondent-State.

Pursuant to order dated 21.7.2023, Mr. Abhishek Jain, Secretary (Education) to the Government of Himachal Pradesh and Mr. Amarjeet Sharma, Director Higher Education, Himachal Pradesh, have come present. On their instructions, learned Advocate General states that though the Department is under obligation to implement mandate contained in the order sought to be executed but, on account of huge financial implications, it may not be possible to disburse the arrears in one go and as such, a plan is being chalked out to release the amount in installments. Learned Advocate General further submitted that otherwise also, State is facing difficult times on account of natural calamity.

Though, having taken note of the fact that repeatedly matter was adjourned and many opportunities were granted to the respondents to comply with the mandate contained in the order sought to be executed in the instant proceedings, there appears to be no justification to adjourn the matter further, but on the vehement request of learned Advocate General and on the undertaking given by the Secretary (Education) to the Government of Himachal Pradesh, that the needful shall be done expeditiously, this court deems it fit to adjourn the matter till next date of hearing, enabling the respondents to disburse the amount in favour of the petitioners. It is made clear that in case needful is not done on or before next date of hearing, officers present in court today, shall remain present on the next date of hearing to explain

why their salaries and property of the Department be not attached towards execution of the order sought to be executed.

List on **4.10.2023**.

(Sandeep Sharma)
Judge

August 21, 2023
(vikrant)