

Khamesh Chand Beakta Vs. State of Himachal Pradesh & others.

CWP No.3445 of 2023.

Item No. (D-2)

07.07.2025

Present: Ms. Pooja, Advocate, for Mr. Ravinder Singh, Advocate, for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Sidharth Jalta, Deputy Advocate General, for the respondents-State.

The issue regarding the shortage of necessary amenities, Court Room and staff as such, faced by the State Transport Appellate Tribunal raised in the present writ petition was initially disposed of on 02.06.2023.

2. Resultantly, directions were issued that the necessary infrastructure, befitting the status of the Chairman of the State Transport Appellate Tribunal, who happens to be the senior Officer of the rank of the District and Sessions Judge, for making the State Transport Appellate Tribunal fully functional, in a time bound manner, be made so that, the poor litigants may not approach this Court again and again. The matter was than kept for compliance.

3. It was thereafter noticed that the posts of Steno-Typist, Judgment Writer, Junior Office Assistant (IT) and Peon, have to be filled up and needful had not been done. The directions were issued to expedite framing of new Rules and the filling up of the said posts on 04.07.2024.

4. On 25.11.2024, it was noticed that whether the Rules have been published for inviting objections and would be notified.

5. On 07.04.2025, it was noticed that except the post of Judgment Writer, all other posts, including Steno-Typist were filled up and a temporary deployment of a Steno-Typist was also done in the said Tribunal.

6. On 19.05.2025 directions were issued that whether the State is willing to consider applicants-retirees from other Departments also for the purpose of re-employment.

7. Vide letter dated 04.07.2025, which has now been placed on record, it has been brought to our notice that approval has been granted by the Administrative Department to fill up the vacant posts by Recruitment & Promotion Rules framed vide letter dated 30.05.2025 **(Annexure-B)**. The Chairman of the Himachal Pradesh State Transport Appellate Tribunal, Hamirpur as such has been declared as appointing and disciplinary authority and the matter would be taken up with him for doing the needful.

8. However, the Chairman has also written that no Judgment Writer was appointed in the Tribunal and other staff as such is temporarily deployed which is not in accordance with the Recruitment & Promotion Rules and

there is no Court Room for hearing the matters and there is no Copying Agency and no proper infrastructure has been provided to this Tribunal.

9. It has been submitted that the State is shifting their onerous duty to provide the necessary staff and other facilities to this Tribunal.

10. Keeping in view the above, the Additional Chief Secretary (Transport) as such, shall file an affidavit as to whether there is permanent exclusive Court Room assigned to the said Chairman, failing which, we will be constrained to impose exemplary costs if it is found that the requisite infrastructure is not in place, on the State for dragging its feet in spite of directions issued on 02.06.2023 to provide the necessary infrastructure.

11. List on **22.07.2025**.

(G.S. Sandhawalia)
Chief Justice

(Ranjan Sharma)
Judge

7th July, 2025
(munish thakur)