

**Himachal Pradesh School DPE Sang & anr.
Vs. State of H.P. & anr.
Exe. Pt. No. 120 of 2023**

23.08.2024 Present: Mr. Sanjeev Bhushan, Senior Advocate, with Mr. Rajesh Kumar, Advocate, for the petitioners.
Mr. Anup Rattan, Advocate General, with Mr. Rupinder Singh Thakur, Additional Advocate General, for the respondents.
Dr. Amarjeet Kumar Sharma, Director of Higher Education.

Affidavit of Director of Higher Education is filed and is ordered to be taken on record.

Learned Advocate General informs the Court that 243 incumbents have been re-designated as Lecturers and the exercise of assigning them appropriate seniority is underway and seniority shall be assigned to them as from the date they gained eligibility in terms of the Recruitment and Promotions Rules now framed to hold the post of Lecturer. He further submitted that as this exercise is likely to take some more time, therefore, let four weeks time be granted to do the needful. He further apprises the Court that this much time is required as objections have now been sought qua the seniority list that has been now worked out.

This Court is of the considered view that in the light of the adjudication that was made in the writ petition, when there is a mandamus issued that the incumbents

who are entitled for seniority shall be conferred the seniority from the respective date, the same is not subservient to issuance of any concurring process. Therefore, as the judgment, execution of which is underway, has to be executed in letter and spirit and as even this Court can not go beyond the judgment that has been passed, now, let needful be positively done, on or before the next date of hearing. List on **30.09.2024**.

(Ajay Mohan Goel)
Judge

August 23, 2024
(Shivank Thakur)