

Manish Singh vs. State of Himachal Pradesh and others

CWP No. 8043 of 2024

21.07.2025 Present Mr. Onkar Jairath, Advocate, for the petitioner.

Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C.Verma, Additional Advocate Generals, with Mr. Ravi Chauhan, Deputy Advocate General, for the respondents/State.

While placing on record communication dated 21.07.2025, issued under the signatures of Director of School Education, Himachal Pradesh, learned Additional Advocate General attempted to argue that since SLP filed before the Hon'ble Apex Court in Sanjay Kumar case is pending adjudication, case of the petitioner cannot be considered in light of Sanjay Kumar case. However, having carefully perused aforesaid communication, this Court is not persuaded to agree with learned Additional Advocate General. Once, it is not in dispute that judgment passed in Sanjay Kumar's case has been not stayed by the Hon'ble Apex Court, respondent-State is under obligations to implement the mandate contained in the same in its letter and spirit, especially when it is not in dispute that on the analogy of Sanjay Kumar's case, many petitions have been allowed and in some of the cases relief pursuant to the same stands granted.

Though, having taken note of the fact that repeatedly matter came to be adjourned, enabling respondents to comply with the judgment, there appears to be no justification to grant further time, but way of indulgence and as a last opportunity,

direction is issued to the respondents to do the needful in terms of judgment dated 01.11.2023 passed by Division Bench of this Court in CWPOA No.5536 of 2020, titled as **Sanjay Kumar vs. State of Himachal Pradesh and others**, failing which, this Court shall have no option, but to initiate contempt proceedings against the respondents for their having intentionally and deliberately disobeyed the mandate contained in the judgment.

List on 22.08.2025.

(Sandeep Sharma)
Judge

July 21, 2025
(shankar)