

Sh. Karam Singh and Ors. v. State of Himachal Pradesh and Ors

CWP No. 8047 of 2024

6.8.2025 Present: Mr. Onkar Jairath, Advocate, for the petitioner.
Mr. Rajan Kahol, Mr. Vishal Panwar and Mr. B.C. Verma, Additional Advocates General with Mr. Ravi Chauhan, Deputy Advocate General, for the respondents.

Despite there being specific direction contained in order dated 25.6.2025, order sought to be complied with has not been complied with. Though in terms of afore order, fresh instructions dated 5.8.2025 have been placed on record, reiterating therein that in terms of mandate contained in the judgment sought to be complied with, respondents after having considered representation of the petitioner forwarded the same and as such, nothing remains to be done. However, this court is not persuaded to accept the afore contention for the reason that bare perusal of order passed in purported compliance of order dated 4.6.2025, issued under the signature of Deputy Director (Elementary Education) clearly reveals that representation of the petitioner has not been considered on merit in light of judgment dated 1.11.2023 passed in CWPOA No. 5536 of 2020, titled Sanjay Kumar v. State of Himachal Pradesh and Ors., rather same has been rejected merely on the ground of pendency of SLP filed by the respondent-State in Sanjay Kumar case.

Since judgment passed in Sanjay Kumar's case has not been set-aside, varied or modified by the Hon'ble Apex Court, respondents are under obligation to implement the mandate contained in the same in its letter and spirit. Mere

filing of SLP may not be sufficient to delay the implementation. Moreover, in this case, case of the petitioner was to be considered in light of Sanjay Kumar. Order passed in purported compliance nowhere suggests that case of the petitioner was ever considered in light of Sanjay Kumar's case.

Though having taken note of order dated 25.6.2025, there appears to be no reason to grant further time, but by way of indulgence and as a last opportunity, one week's time is granted to the respondents to comply with mandate contained in the judgment sought to be complied with, failing which respondents would remain present in the court on **3.9.2025**.

August 6, 2025
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**(Sandeep Sharma),
Judge**