

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Petition (T) No. 136 of 2025

Decided on : 05.05.2026

Om Prakash Garg

...Petitioner

Versus

State of H.P. and another

...Respondents.

Coram

Hon'ble Mr. Justice G.S. Sandhawalia, Chief Justice.

Hon'ble Mr. Justice Bipin Chander Negi, Judge.

Whether approved for reporting?¹

For the petitioner:

Ms. Samridhi Rathour, Advocate, vice
Mr. Naresh Verma, Advocate.

For the respondents :

Ms. Priyanka Chauhan, Deputy
Advocate General.

G.S. Sandhawalia, Chief Justice (Oral)

The State has placed on record the notification dated 2nd May, 2026, whereby a sum of Rs. 8,87,092/- has been paid to the petitioner vide Bill No. 100003 dated 24.04.2025. Hence, no amount of arrears remains due.

2. Counsel for the petitioner has raised the issue of interest for the delayed payment. The perusal of the order, which is sought to be executed goes on to show that consideration has been ordered on 4th September, 2017, in view of the principles laid down in Civil Writ Petition No. 1811 of 2008 titled *Dev Raj vs. State*

¹ *Whether the reporters of the local papers may be allowed to see the Judgment? Yes*

of H.P. and others and other connected matters. Apparently order dated 17th November, 2025 (Annexure R-2) was passed granting the necessary pay fixation. The execution has also been filed at a belated stage, now in July, 2025.

3. In such circumstances, we do not find it a fit case, as such, to open up the issue of interest in the present case, since there is an apparent delay on the part of the petitioner also in seeking legal redressal. Accordingly, liberty is granted to the petitioner, in case he so deems it fit, to agitate the issue of interest, if maintainable, in a competent Court of law.

In view thereof, the execution petition stands closed. Pending miscellaneous applications, if any, also stand disposed of.

(G.S. Sandhawalia)
Chief Justice

(Bipin Chander Negi)
Judge

05th May, 2026
(Tarun)