

MUKUL JISHTU Versus RAKESH KANWAR AND ANOTHER

**CMP-21657 of 2025 in
COPC-556 of 2025**

25.11.2025 Present: Ms. Ritta Goswami, Senior Advocate with Ms. Komal Chaudhary, Advocate, for the applicant/petitioner.

Mr. Vishal Panwar, Additional Advocate General with Mr. Ravi Chauhan, for the respondents-State.

While placing on record communication dated 23.10.2025, issued under the signatures of Director of Higher Education, Himachal Pradesh, enclosing therewith copy of office order dated 03.10.2025 passed by the afore authority, Mr. Vishal Panwar, learned Additional Advocate General, states that respondents, after having considered the case of the petitioner, have rejected the same, vide order dated 03.10.2025 as petitioner was not found entitled to the relief as has been prayed for.

Having carefully perused aforesaid documents, which are taken on record, this Court finds that respondents, after having considered the case of the petitioner, in light of judgment passed by this Court in CWPOA No.1077 of 2019, titled as **Nitin Kumar Vs. State of Himachal Pradesh**, have rejected the same on the ground that petitioner is not similarly situate to Nitin Kumar.

Though at this stage, Ms. Reeta Goswami, learned Senior Counsel for the petitioner, vehemently argued that

consideration order passed in purported compliance of the judgment, alleged to have been violated, is not in conformity with the directions contained in the judgment, alleged to have been violated, because case of the petitioner has been considered in accordance with law.

However, this Court is of view that correctness of the order passed in purported compliance of the judgment, alleged to have been violated, cannot be gone into the instant proceedings, which are meant for compliance. Correctness of the impugned order, if any, can be laid challenge by way of substantive writ.

In view of the above, no action of the respondents can be said to be contumacious, as such, nothing remains to be adjudicated in the instant proceedings and accordingly, the same are closed. However, liberty is reserved to the petitioner to file appropriate proceedings in appropriate Court of law, laying therein challenge to order passed in purported compliance of the judgment, alleged to have been violated.

November 25, 2025
(sunil)

(Sandeep Sharma),
Judge