

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Pet. No. 1227 of 2024

Date of Decision: 07.01.2025

Sat Pal

...Petitioner.

Versus

HRTC & Anr.

...Respondents.

Coram

Hon'ble Mr Justice Tarlok Singh Chauhan, Judge.

Hon'ble Mr Justice Rakesh Kainthla, Judge.

Whether approved for reporting?¹ No

For the Petitioner : Mr. Sanjeev Kumar Suri, Advocate.

For the Respondents : Mr. Dheeraj K. Vashista, Advocate.

Tarlok Singh Chauhan, Judge (Oral):

Heard.

2. It is not in dispute that CWP No. 3314 of 2021, titled as Sat Pal vs. HRTC & Ors was filed with the following prayer:-

“(I) That the respondents may be directed to release enhanced dearness relief and interim with arrears alongwith interest at the rate of 9% per annum in favour of the petitioner with in time bound manner and not stop the Dearness relief in future and be released a per law.”

3. It is further not in dispute that at the time of hearing of this petition on 17.06.2021, learned counsel for the

¹ Whether reporters of Local Papers may be allowed to see the judgment? Yes.

petitioner had made a statement that the instant petition is covered by the verdict rendered, by this Court, on 17.07.2014, in CWP No. 3050 of 2014, titled as Nek Ram vs. State of H.P. & Ors.

4. It is again not in dispute that the statement so made by the petitioner was accepted by the learned counsel for the respondents and the same is recorded in Para No. 1 of the judgment which reads as under:-

“The learned counsel for the petitioner submits that the instant writ petition, is, covered by the verdict rendered, by this Court, on 17.07.2014, upon CWP No. 3050 of 2014, titled as, “Nek Ram versus State of Himachal Pradesh & Ors”. The afore made statement, made by the learned counsel for the petitioner, is, accepted, by the learned counsel for respondent.”

5. In light of the aforesaid statement and the judgment rendered in Nek Ram’s case (supra) that the writ petition was disposed of with a direction to the respondents to grant the reliefs as sought by the petitioner. Therefore, it does not lie in the mouth of respondents to claim that they are not liable to pay the enhanced Dearness and interim reliefs as sought by the petitioner. Accordingly, respondents are directed to comply with this part of the prayer made by the petitioner within a period of six weeks.

6. Accordingly, the execution petition is disposed of.
For compliance to come up on **18.03.2025**.

(Tarlok Singh Chauhan)
Judge

(Rakesh Kainthla)
Judge

7th January, 2025
(Shamsh/Ravinder)