



**Akshay Sharma Vs. State of H.P.  
Exe. Pt. No. 1273 of 2024**

**28.03.2025** Present: Mr. Dilip Sharma, Senior Advocate, with Mr. Manish Sharma, Advocate, for the petitioner.  
Mr. Pushpinder Jaswal, Additional Advocate General, for the respondents.

Learned Additional Advocate General has placed on record instructions imparted by The Secretary (Technical, Education) to the Government of Himachal Pradesh, which reads as under:-

*"I am directed to refer to your office letter No. Execution Petition 1273/2024-12136 dated 19.03.2025 on the subject cited above and to say that there are no vacancy of Assistant Professor (Textile Engineering) in Technical Education Department. The matter was placed before competent authority who has decided that the two post of Professor (Textile Engineering) be downgraded to the post of Associate Professor (Textile Engineering) so that the promotion avenue be risen to the Assistant Professor (Textile Engineering).*

*The matter has already been sent to the Finance Department vide this Department file No. EDN(TE)E(1)51/2022 dated 19.03.2025 for their concurrence/approval who is the custodian of matters of creation and filling up of posts in every Government Departments and thereafter matter is required to be placed before CMM for its approval. The completion of this process will take considerable time."*



2025:HHC:18727

Having perused the the instructions, this Court is of the considered view that the instructions are nothing but contemptuous. Once this Court has passed a judgment, compliance thereof is not sub-servant to any subsequent decision either to be taken by the Government Department or CMM. As the judgment of this Court has attained finality, it has to be complied with by the Authority.

On the request of learned Additional Advocate General, list on **28.04.2025**. In case the judgment is not complied with in letter and spirit by the said date, this Court will suo moto exercise its contempt power vested under Article 215 of the Constitution of India.

**(Ajay Mohan Goel)**  
**Judge**

March 28, 2025  
(Shivank Thakur)