



IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

Execution Petition No.21 of 2025

Decided on: 27.11.2025

Vijay Kumar

....Petitioner

Versus

State of Himachal Pradesh and Others

....Respondents

Coram

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

The Hon'ble Mr. Justice Jiya Lal Bhardwaj, Judge.

Whether approved for reporting?¹

For the Petitioner : Mr. Sanjeev Bhushan, Senior Advocate with Mr. Rajesh Kumar and Mr. Sparsh Bhushan, Advocates.

For the Respondents : Mr. Pranay Pratap Singh, Additional Advocate General, for the respondents-State.

G.S. Sandhawalia, Chief Justice (Oral).

In view of the various directions, issued by this Court seeking execution of the order dated 31.08.2023 passed in ***CWPOA No.4593 of 2020*** titled ***Vijay Kumar Vs. State of H.P. & Others***, the respondents-State has finally relented and the corrigendum has now been issued that the petitioner has been given the appointment as "Junior Office Assistant (IT) on contract basis" in place of "Junior Office Assistant (IT) (Trainee)".

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



2. A perusal of the communication dated 13.08.2025 would also go on to show that while appointing the petitioner, he has been held entitled for all service benefits from 31.10.2023 which was the direction of the Division Bench of this Court sought to be executed. However, it is not disputed that the joining was given only on 03.07.2025 and therefore actual pay has only been granted from the date of joining apart from other conditions, subject to the final outcome of the Special Leave Petition (SLP), which is now stated to be dismissed on account of delay and laches.

3. We do not wish to add to the detailed background as such, keeping in view the fact that on 27.03.2025, the execution proceedings had been closed directing curtailing the right as such of the petitioner which he had been entitled for all the service benefits from the said date except the actual pay from 31.10.2023.

4. Apparently, the same was not adhered to and the execution petition had to be revived and eventually the order was passed and he was allowed to join on 03.07.2025. The detailed order of 21 paragraphs came to be passed by the Coordinate Bench of this Court that the liability of the unpaid salary of the



petitioner w.e.f. 31.10.2023 till 03.07.2025 would have to be fastened upon the concerned Officers/Officials.

5. Keeping in view the fact that now the necessary corrections have also been made after the petitioner has joined as such, we deem it fit to give a closure to the present execution petition by only imposing a token costs of Rs.20,000/- to be paid to the petitioner who was forced to agitate for his grievances on an issue which had become firstly time barred at the hands of the respondents-State and thereafter not complied with. Only when the contempt notice was sought to be issued, adherence has been made to the Court. The said token amount is just a message as such to the concerned authorities that the Court order has to be given due deference especially when the litigation which was not firstly contested within time and had become final.

6. We do not wish to add to the loss of the public exchequer itself by granting the pay as such actual financial benefits for the period, the petitioner has not worked and therefore, we only direct that the token compensation as such be paid within a period of four weeks from today to the petitioner.

7. Resultantly, the present petition stands disposed off accordingly.



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8. Pending miscellaneous application(s) if any, are accordingly disposed off.

(G.S. Sandhawalia)
Chief Justice

(Jiya Lal Bhardwaj)
Judge

27th November, 2025
(Munish Thakur)