



***Vijay Kumar vs. State of HP***

***Exe. Petition No.21 of 2025***

**26.03.2025 Present:** Mr. Sanjeev Bhushan, Sr. Advocate with Mr. Sparsh Bhushan, Advocate for the petitioner.

Mr. Anup Rattan, Advocate General with Mr. Visha Deep Sharma, Additional Advocate General, for respondents.

This Court vide judgment dated 31<sup>st</sup> August, 2023 had disposed of the petition CWPOA No. 4593 of 2020 with following operative portion:-

“16. In present case, rejection is on sole ground of delay in filing the application, which stands quashed and set aside for the reasons assigned supra. As no other objection has ever been raised by concerned authority for rejecting the claim of petitioner or to defend the rejection during adjudication of present petition, therefore, we feel that in present case, it would be appropriate to issue direction to respondents to offer appointment to petitioner on compassionate ground as expeditiously as possible latest by **31<sup>st</sup> October, 2023.**”

For non-compliance of order, this Execution Petition has been filed. In response, reply/compliance affidavit has been filed on affidavit of Director General of Police along with documents appended therewith whereby it has been informed that after passing aforesaid judgment dated 31.08.2023 matter was placed for consideration before PHQ level Committee. The said Committee had rejected the case of petitioner for providing employment on compassionate grounds. The



recommendations of the PHQ Level Committee were accepted by the Scrutiny Committee constituted at Government level and petitioner has been informed about rejection of his case/application.

It is apparent from compliance affidavit that the action taken in furtherance to judgment dated 31<sup>st</sup> August, 2023 by respondents including the Departmental PHQ level Committee and Government level Scrutiny Committee is in direct conflict with directions passed by the Court and it is clearly amounting to obstruction in administration of justice amounting to over-reaching the Court.

Learned Additional Advocate General was directed to disclose the names of members of PHQ Committee as well as Scrutiny Committee.

After sometime, instead of disclosing the names of members of the Committee, he prays for adjournment with request that respondents are proposing to withdraw the affidavit.

Withdrawal of affidavit will not purge the contempt. However, for request made by learned Advocate General, matter is adjourned for tomorrow i.e. 27<sup>th</sup> March, 2025 for ensuring the complete compliance and file affidavit accordingly failing which we would not hesitate to initiate the proceedings for contempt civil as well as criminal.

List on 27<sup>th</sup> *March, 2025.*

**(Vivek Singh Thakur)**  
**Judge**

**March 26, 2025**  
**(ms)**

**(Bipin C. Negi)**  
**Judge**