



**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA**

COPC(T) No.7 of 2021

Date of Decision: 25.02.2021

Mohinder Saini & Ors.

.....Petitioners

Versus

Manoj Kumar IAS & another

..... Respondents

Hon'ble Mr. Justice Sandeep Sharma, Judge.

Whether approved for reporting? ¹

For the Petitioners: Mr. Tek Chand Sharma, Advocate.

For the Respondents: Mr. Sudhir Bhatnagar and Mr. Arvind Sharma, Additional Advocate Generals, with Mr. Kunal Thakur and Ms. Svaneel Jaswal, Deputy Advocate Generals.

Sandeep Sharma, Judge (oral):

By way of present Contempt Petition, prayer has been made on behalf of the petitioners for initiation of contempt proceedings against the respondents for having intentionally and deliberately disobeyed the judgment/order dated 14.6.2019, passed by erstwhile H.P. State Administrative Tribunal, Shimla in OA(M) No.250 of 2016, titled as Mohinder Saini and others versus State of Himachal Pradesh and others.

¹ *Whether the reporters of the local papers may be allowed to see the judgment?*

2. Careful perusal of aforesaid judgment, alleged to have been violated, (Annexure C-1), reveals that learned Tribunal below while disposing of the original application, directed the respondents to consider the case of the applicants/petitioners for promotion to the posts of Head Constables in terms of the standing order dated 29.5.2003, within two months from the date of production of certified copy of the order. Since no action, if any, ever came to be taken at the behest of the respondents pursuant to the aforesaid direction issued by the Tribunal, applicants/ petitioners have approached this Court in the instant proceedings.

3. Mr. Sudhir Bhatnagar, learned Additional Advocate General representing the respondents while accepting notice on behalf of the respondents states that though he has every reason to believe and presume that by now aforesaid judgment alleged to have been violated, must have been complied with, but if not, same would be complied with within a period of two weeks from today.

4. Consequently, in view of the fair statement made by learned Additional Advocate General representing the respondents, this Court sees no reason to keep the present petition alive and as such, same is accordingly disposed of with the direction to the respondents to do the needful within a period of two weeks, if not

already done, failing which, they would further aggravate the contempt. Petitioners are at liberty to get the present proceedings revived in case aforesaid judgment is not complied with, so that appropriate action, in accordance with law is taken against erring official. Notices issued to the respondents are hereby discharged accordingly.

**(Sandeep Sharma),
Judge**

**25th February, 2021
(shankar)**

High Court of MP