

ITEM NO.15

COURT NO.4

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 11170/2024

[Arising out of impugned final judgment and order dated 12-01-2023 in CWP No. 1180/2022 passed by the High Court of Himachal Pradesh at Shimla]

THE STATE OF H.P. &amp; ORS.

Petitioner(s)

VERSUS

JANAK DEV SHARMA

Respondent(s)

(IA No. 106919/2024 - CONDONATION OF DELAY IN FILING IA No. 106921/2024 - CONDONATION OF DELAY IN REFILING/CURING THE DEFECTS IA No. 106920/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Date : 26-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE J.K. MAHESHWARI  
HON'BLE MR. JUSTICE ARAVIND KUMAR

For Petitioner(s) : Mr. Anup Kumar Rattan, Adv. Gen.  
Mr. Kartikeya Rastogi, Adv.  
Mr. Inderdeep Kaur Raina, Adv.  
Mr. Krishna Dev Jagarlamudi, AOR

For Respondent(s) : Mr. Gaurav Dhingra, AOR

UPON hearing the counsel the Court made the following  
O R D E R

1. Delay condoned.

2. A batch of Special Leave Petitions (State of Himachal Pradesh & Ors. Vs. Surajmani & Anr. - SLP (C) No. 23016 of 2023 and connected special leave petitions) has been disposed of on

06.02.2025.

3. The issue involved in this petition is the same therefore, the directions as issued in SLP (c) No. 23016 of 2023 and connected special leave petitions shall govern the disposal of this petition.

4. Special Leave Petition is accordingly disposed of.

5. It is experienced that despite passing the judgment in ***Surajmani*** (supra) which is *in rem*, but in view of the separate orders passed by the High Court, several special leave petitions are being filed by the State. Considering the same, it is to be expressed that in our view, when a judgment *in rem* has been passed, it would apply *mutatis mutandis* in all cases having similar facts and filing separate special leave petitions is in futility. The State may take note of this fact and do the needful.

6. Pending applications, if any, shall stand disposed of.

(GULSHAN KUMAR ARORA)

(NAND KISHOR)

**AR-CUM-PS**

**ASSISTANT REGISTRAR**