IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

ON THE 31st DAY OF DECEMBER, 2021

BEFORE

HON'BLE MR. JUSTICE SANDEEP SHARMA

CIVIL ORIGINAL PETITION CONTEMPT (TRIBUNAL) No. 906 of 2020

Between:

SH. HARI RAM,
S/O SH. PARMA NAND,
R/O VILLAGE SAITHAL,
P.O. BHANTHAL,
TEHSIL KARSOG,
DISTRICT MANDI,
HIMACHAL PRADESH.

....PETITIONER

(BY MR. DEVENDER SHARMA,
ADVOCATE)

AND

1. **SH. RAM SUBHAG SINGH**
   (PR. SECRETARY FOREST),
   TO THE GOVERNMENT OF HIMACHAL
   PRADESH, SHIMLA, DISTRICT SHIMLA, H.P.

2. **SH. AJAY SHARMA,**
   CHIEF CONSERVATOR OF FOREST,
   FOREST DEPARTMENT TALLAND,
   SHIMLA, DISTRICT SHIMLA, H.P.

3. **SH. RAJ KUMAR,**
   DIVISIONAL FOREST OFFICER,
   FOREST DIVISION KARSOG,
   DISTRICT MANDI, HIMACHAL PRADESH

....RESPONDENTS

High Court of H.P.

::: Downloaded on - 03/11/2026 18:56:50 :::CIS

**(BY MR. NARENDER THAKUR,
GAURAV SHARMA AND
MR. KAMAL KISHORE SHARMA,
DEPUTY ADVOCATES GENERAL.)**

Whether approved for reporting?.

This petition coming on for orders this day, the Court passed the following:

O R D E R

By way of present contempt petition, prayer has been made on behalf of the petitioner for initiation of contempt proceedings against the respondents for having their willfully and intentionally disobeyed the directions contained in order dated 1.11.2017, rendered by the erstwhile HP State Administrative Tribunal in OA No. 4442 of 2007, titled *Hari Ram v. State of HP and Ors*, whereby a direction was issued to the respondents to extend the benefit of judgment passed by the erstwhile Tribunal in OA No. 5338 of 2016, titled *Hero Devi v. State of Himachal Pradesh and Ors.* While passing the aforesaid order, erstwhile Tribunal also ordered that in case petitioner is found to be similarly situate to Hero Devi's case supra, he would be given similar benefits within a period of two months. Since needful was not done by the respondents in terms of aforesaid order passed by the erstwhile Tribunal, petitioner was compelled to approach this Court in the instant proceedings.

High Court of H.P.

::: Downloaded on - 03/11/2026 18:56:50 :::CIS

2. Careful perusal of compliance affidavit filed by the respondents in terms of notice issued in the instant petition reveals that case of the petitioner was duly considered by the respondents in light of judgment passed by the erstwhile Tribunal in *Hero Devi case supra*, but since case of the petitioner was not found to be similarly situate with Hero Devi's case, his case was rejected vide order dated 14.9.2020 (Annexure R-II), annexed with the reply/compliance affidavit. Since there was only direction to consider and decide the case of the petitioner in light of *Hero Devi's* case (supra) and same has been considered and rejected, this Court does not see any reason to agree with the contention of Mr. Devender Sharma, learned counsel for the petitioner that respondents have not complied with order/judgment alleged to have been violated, rather by passing order dated 14.9.2020, respondents have complied with the directions contained in the order alleged to have been violated and as such, noting remains to be adjudicated in the present petition and same is closed. However, liberty is granted to the petitioner to file appropriate proceedings before appropriate court of law, if so advised.

31st December, 2021 **(Sandeep Sharma),**
(manjit) **Judge**

High Court of H.P.

::: Downloaded on - 03/11/2026 18:56:50 :::CIS