



Neel Kamal Singh vs. State

Exe. Petition No. 61 of 2023

02.08.2023 Present: Mr. Surender Sharma, Advocate for the petitioner.
Mr. I.N. Mehta, Sr. Additional Advocate General, for the respondents/State.
Mr. K.D. Sood, Sr. Advocate with Ms. Ranjana Chauhan, Advocate for respondents No.3 and 4.

This execution petition has been filed for implementation of order dated 7th January, 2020 passed in CWP No. 1142 of 2018, titled Neel Kamal Singh vs. State of H.P.

Thereafter, present Execution Petition has been filed, which was finally decided by the Division Bench of this Court vide order dated 31.05.2023 and for compliance report, this petition was ordered to be listed on 19.07.2023.

Thereafter, on 19.7.2023, on request of learned Senior Additional Advocate General, matter was ordered to be listed today.

Today, learned Senior Additional Advocate General submits that matter is pending consideration before the concerned Secretary and he seeks further time.

Considering the entire facts and circumstances, recorded herein-in-above, it is apparent that the Secretary (Education) to the Government of H.P. has failed to ensure implementation of order passed by Court despite granting opportunity. Therefore, we are constrained to take coercive measure for ensuring the implementation of order.

On persuasive request of learned Senior Additional Advocate General, we are taking a lenient view and instead of directing the civil imprisonment/detention of the concerned Officer, we are only directing attachment of salary.

Accordingly, it is directed that salary of respondent No.1 the Secretary (Education) to the Government of H.P. be attached till further order. The Chief Secretary to the Government of H.P. is directed to ensure attachment of salary by doing needful within two days positively.

Learned Senior Additional Advocate General is directed to communicate this order to the Chief Secretary for compliance.

List on *9th August, 2023.*

(Vivek Singh Thakur)
Judge

(Bipin C. Negi)
Judge

August 02, 2023
(ms)