

No.EDN (D)1-834 /2018  
Government of Himachal Pradesh,  
Department of Education (D).

From

The Chief Secretary to the  
Government of Himachal Pradesh, Shimla-2

To

1. All Administrative Secretaries  
to the government of Himachal Pradesh.
2. All Heads of Departments  
Himachal Pradesh.

Dated: Shimla-171002, the 23-11-2019

Subject:- **COPC No. 256/2018 -Ram Swaroop V/s Sh. Arun Kumar  
Sharma & Ors.**

Sir,

I am to enclose herewith a photocopy of order dated 27-09-2019  
passed in Special Leave to Appeal (C) No(s). 22588/2019 by the Hon'ble Supreme Court  
of India. While deciding the SLP(C), the Hon'ble Supreme Court of India has observed  
as under:-

"The Division Bench dismissed the appeal on the ground of  
limitation and we are in complete agreement with the view taken.  
If the State Government cannot handle its legal affairs and file the  
appeals in time then it must suffer the consequences. It is always  
open for them to recover any financial impact from the officers  
concerned responsible for the delay.

The Special Leave Petition is dismissed.

Pending application, if any, stands disposed of."

It is further stated that in related COPC No. 256/2018 titled as Ram  
Swaroop V/s Sh. Arun Kumar Sharma, Hon'ble High Court observed that the above  
observations of Hon'ble Supreme Court of India need to be circulated throughout the  
State and directed Chief Secretary to the Govt. of H.P. to circulate to all the concerned  
departments, to ensure strict compliance of the said order of Hon'ble Supreme Court of  
India to avoid embarrassment in future.

In this regard, it is directed that the judgments/orders of the

page-2/-

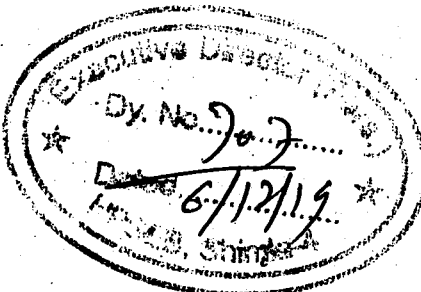
IT Cell HPSESL V.B. Shimla-4

Sr. ESO (IT-I)  
Sr. ESO (IT-II)  
APS/Steno

*[Handwritten signature]*  
24/11

*M/D E*  
*E-DOJ*  
*3 BSGE*  
*2/12/19*  
*[Handwritten marks]*

*S. O. Dep.*  
*S-5*  
*7-12-19*  
*[Handwritten marks]*



Hon'ble Courts should be examined properly to implement the same, immediately. If it is decided to agitate the judgment in question, then the same may be agitated within the time frame provided for appeal.

It should also be ensured that the directions of the Hon'ble Court be implemented in letter and spirit to avoid any adverse orders from the Hon'ble Courts.

You are, therefore, requested to kindly bring the directions of Hon'ble Court (Copy enclosed) in the knowledge of all officers/officials under your control for strict compliance and ensure action against the defaulters responsible for any lapse for delay in handling of court matters.

Yours faithfully,

*skant*

(Dr. Shrikant Baldi, IAS)  
Chief Secretary to the  
Government of Himachal Pradesh.

Endst .No. As above.

Dated: Shimla-2, the

23-11-2019

Copy is forwarded to the Ld. Advocate General, Himachal Pradesh, Shimla-1.

*95117*  
(Ved Bhushan Sugian)  
Deputy Secretary (Education) to the  
Government of Himachal Pradesh

ITEM NO.7

COURT NO.10

SECTION XIV

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 22588/2019

(Arising out of impugned final judgment and order dated 15-05-2019 in LPA No. 37/2019 passed by the High Court Of Himachal Pradesh At Shimla)

THE STATE OF HIMACHAL PRADESH & ORS.

Petitioner(s)

VERSUS

RAM SWAROOP & ORS.

Respondent(s)

(FOR ADMISSION and I.R. )

Date : 27-09-2019 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KISHAN KAUL  
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) Mr. Vikas Mahajan, Adv.  
Mr. Aakash Varma, Adv.  
Mr. Anil Kumar, Adv.  
Mr. Vinod Sharma, AOR

For Respondent(s)

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

The Division Bench dismissed the appeal on the ground of limitation and we are in complete agreement with the view taken. If the State Government cannot handle its legal affairs and file the appeals in time then it must suffer the consequences. It is always open for them to recover any financial impact from the officers concerned responsible for the delay.

The Special Leave Petition is dismissed.

Signature Not Verified

Digital Signature  
MANISH, 2019  
Date: 2019.09.10  
15:29:04 IST  
Reason: -

Pending application, if any, stands disposed of.

(ASHA SUNDRIYAL)  
COURT MASTER

(ANITA RANI AHUJA)  
COURT MASTER

No. HPSEBL/Secy/Depo-342-120 - 71466-516  
Dt. 16-1-2020.  
Copy forwarded for information & necessary actions:-

- 1) All the CE<sub>s</sub>/SE<sub>s</sub>/MD BVPCL/HPSEBL.
- 2) All the Dy./jt/Under Secretaries in HPSEBL.
- 3) The C.A.O. HPSEBL Shimla-4.

✓ 4) Board's website SE (IT)

Deputy Secretary (GE)  
HPSEBL Shimla-4

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