

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA

**Ex. Petition No. 1116 of 2026
Decided on: 21.08.2026**

Ramesh Chand

.....**Petitioner**

Versus

Himachal Pradesh University
Summerhill, Shimla

.....**Respondent**

Coram

Ms. Justice Jyotsna Rewal Dua

Whether approved for reporting?¹

For the Petitioner: Mr. Mandeep Chandel, Advocate.

For the Respondent: Mr. Deepak Sharma, Advocate.

Jyotsna Rewal Dua, Judge

Petitioner seeks enforcement of ***Ramesh Chand***
versus Himachal Pradesh University,² operative portion
of which reads as under:-

“4. Having regard to the afore-submissions, but without examining the merits of the matter, this writ petition is disposed of by permitting the petitioner to file a comprehensive representation to the respondent/competent authority within a period of two weeks from today. In case such a representation is received by the respondent/competent authority within the aforesaid period, the same shall be considered and decided in accordance with law as well as taking into consideration the above judgment in the case of *Sunder Singh* and *Paras Ram* within a period of six weeks from today. The decision so arrived at shall also be communicated to the petitioner.

The writ petition stands disposed of in the above terms, so also the pending miscellaneous application(s), if any.”

¹Whether reporters of print and electronic media may be allowed to see the order? Yes.

²CWP No.5342 of 2024, decided on 01.03.2025.

2. Following order was passed in this matter on 16.07.2026:-

“Following order was passed in this matter on 09.07.2026:-

“Learned counsel for the respondent submits that reply has been filed. A copy thereof was made available for perusal. In terms of the reply, though an order was passed by the respondent-University on 08.09.2025 towards compliance of the judgment in question, but as per para 5 of the reply, implementation of the same has been deferred awaiting final outcome of the curative petition filed by the State Government in Civil Appeal No.4792 of 2022 (Balo Devi & others Versus State of Himachal Pradesh and others), decided on 18.07.2022.

Mere filing of curative petition in Balo Devi, supra, by the State Government, prima facie, would not come to the rescue of the respondent in not implementing the judgment dated 01.03.2025 rendered in CWP No.5342 of 2024 (Ramesh Chand Versus Himachal Pradesh University).

Confronted with above, learned counsel for the respondent seeks a week's time to have further instructions in the matter and to file compliance affidavit in accordance with law.

List on 16.07.2026.”

2. Despite the above order, the judgment in question has not been complied with by the respondent HPU.

Learned counsel for the respondent-HPU has placed on record office instructions dated 15.07.2026, conveying that as and when approval comes from the Secretary (Education) to the Government of Himachal Pradesh the university will comply with the judgment in question.

3. The aforesaid stand of the respondent cannot be accepted. The judgment, unless stayed/set aside in accordance with law, is required to be implemented.

Final opportunity of two weeks' is granted to the respondent to comply with the judgment in

letter and spirit, failing which, respondent shall remain present in the Court on the next date.
List on 07.08.2026.”

3. Learned counsel for the respondent-University placed on record office instructions dated 20.08.2026 from the Registrar, H.P. University, Shimla, inter alia conveying that case of the petitioner has been considered under order dated 06.08.2026 holding the petitioner entitled to pensionary benefits in accordance with law and applicable rules and subject to fulfillment of codal formalities; Petitioner has exercised his option of 40% commutation. Learned counsel on both sides have apprised that codal formalities are now being completed by the parties for releasing the admissible pension to the petitioner.

4. Taking note of the office instructions placed on record by the respondents and submissions made by learned counsel for the parties, the present execution petition is disposed of with the hope & trust that parties shall make endeavour to complete codal formalities as expeditiously as possible so that admissible pension is released to the petitioner without undue delay with liberty reserved to the petitioner to seek appropriate remedy for the redressal of his surviving grievances if any, in accordance with law. Pending miscellaneous application(s), if any, shall also stand disposed of.

August 21, 2026
yogesh

Jyotsna Rewal Dua
Judge