

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

DATE OF DECISION: JULY 20, 2015

Mohinder Dutt Sharma

.....Petitioner

VERSUS

Sh. T.C.Gupta and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Saurabh Garg, Advocate,
for the petitioner.

Mr. G. S. Wasu, Addl.A.G., Haryana,
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Counsel for the respondents has filed an affidavit of the Director, Secondary Education Haryana, Panchkula-respondent No.2, alongwith which is an order dated 14.07.2015 (Annexure R-1), rejecting the claim of the petitioner. The said affidavit alongwith order, Annexure R-1, is taken on record. Copy thereof has been supplied to counsel for the petitioner. Counsel for the respondents, on the basis of the affidavit, states that the order passed by this Court has been duly complied with.

A perusal of the record indicates that because of non-compliance of the order passed by this Court in Civil Writ Petition No.9991 of 2013 (Mohinder Dutt Sharma Vs. State of Haryana and others),

C.O.C.P. No.1170 of 2014 (Mohinder Dutt Sharma Vs. Sh.S.C.Choudhary and others) was preferred by the petitioner, which was disposed of by this Court vide order dated 09.12.2014 (Annexure P-4) by passing the following order:-

“Counsel for the respondents, on instructions from Shri Vinod Kumar, Assistant, states that the petitioner, in pursuance to the order dated 29.08.2014 (Annexure P-2) passed in CWP No.9991 of 2013 titled as Mohinder Dutt Sharma Vs. State of Haryana and others, has been called for personal hearing on 16.12.2014 and within a period of ten days thereafter, final order would be passed on the representation of the petitioner. In view of the above statement, which is treated as undertaking on behalf of respondents, the present contempt petition is disposed of as infructuous with direction to the respondents to convey the order of the decision taken upon the representation of the petitioner forthwith. In case, the claim of the petitioner is accepted, the consequential benefits be released to him within a period of eight weeks thereafter.

Rule discharged subject to above.”

Despite the said statement given on behalf of the respondents, the orders were not complied with, which forced the petitioner to file the present contempt petition.

There is an inordinate delay on the part of the respondents in complying with the orders passed by the Writ Court as also the Contempt Court and, therefore, the Court is of the view that costs should be imposed on the State for its callous and lethargic attitude in complying with the

orders passed by this Court.

In view of the above, the present contempt petition is disposed of as infructuous. The State of Haryana is directed to pay costs of ₹10,000/- to the petitioner within a period of three weeks from today.

**July 20, 2015
khurmi**

**(AUGUSTINE GEORGE MASIH)
JUDGE**