

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

COCF No. 1687 of 2014 (O&M)

Date of Decision: 02.02.2015.

Surender Kumar Yadav

--Petitioner

Versus

Surina Rajan & another

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sudhir Hooda, Advocate for the petitioner.

Mr. Ravi Pratap Singh, A.A.G., Haryana.

TEJINDER SINGH DHINDSA.J

CWP No.15481 of 2011 filed by the petitioner was allowed by the Writ Court on 30.8.2013 with the direction to the respondents to promote him as Principal, H.E.S.-II w.e.f. 23.7.2007 i.e. the date his juniors had been so promoted. Petitioner was also held entitled to all consequential benefits upon grant of such ante dated promotion.

Even though, the writ petition was allowed on 30.8.2013, the directions contained therein were not complied with. Accordingly, the petitioner was constrained to file the instant contempt petition.

The contempt petition came up for preliminary hearing on 9.7.2014, whereupon notice of motion was issued for today i.e. 2.2.2015.

Learned State counsel has produced in Court today copy of order dated 28.1.2015, passed by the Special Secretary to Govt., Haryana, School Education Department, Chandigarh in terms of which the petitioner has been given ante date promotion as Principal w.e.f. 23.7.2007 and has been held entitled to all consequential benefits.

It stands conceded by learned State counsel that even though, the order dated 28.1.2015 has been passed but till date the necessary consequential benefits have not been released to the petitioner and neither the litigation costs of Rs.10,000/- that had been directed by the Writ Court, have been paid.

This Court is satisfied that the conduct of the respondents-contemnors requires to be deprecated and is rather contemptuous.

The directions issued by the Writ Court in the year 2013 have been complied with only after having received notice of the contempt proceedings. Even though, an order on the file has been passed, yet, the consequential benefits have not been released to the petitioner. Even the litigation costs have not been paid.

Accordingly, while disposing of the instant contempt petition, it is directed that the consequential benefits emanating from the order dated 28.1.2015, passed by the Haryana Education Department would be released to the petitioner, within a period of two weeks from today. Even the amount of Rs.10,000/- that had been imposed upon the State Govt. towards litigation costs by the Writ Court would also be released within the aforesaid stipulated time frame.

There has been a gross and inordinate delay on the part of the respondents-contemnors towards complying with the directions issued by this Court.

Under such circumstances, the petitioner is held entitled to a further amount of Rs.20,000/- towards costs to be paid by the State Govt. as his hands have been forced to even approach the Contempt Court to get the requisite relief. Even such amount be released to the petitioner, within a

period of two weeks from today.

Petition disposed of.

Rule discharged.

A copy of this order be given to learned State counsel under the signatures of Bench Secretary.

(TEJINDER SINGH DHINDSA)
JUDGE

February 02, 2015.
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