

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.O.C.P. No. 21 of 2014

Date of decision: 16.02.2015

Des Raj

..... Petitioner

Versus

Anurag Aggarwal and ors.

..... Respondents.

CORAM:HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sandeep Sharma, Advocate for the petitioner.

Mr. Pardeep Singh Poonia, Advocate for the
respondents.

--

HARINDER SINGH SIDHU, J.

CM No. 2240-CII of 2015

Miscellaneous application is allowed as prayed.

COCP No. 21 of 2014

Civil Writ Petition No.5627 of 2012 was disposed of by this Court vide order dated 16.08.2013. The order dated 21.12.2011 dismissing the petitioner from service was set aside and the respondents were directed to reconsider the petitioner for continuation of his services with all consequent benefits except for wages from date of his dismissal i.e. 21.12.2011 till the date of his reinstatement.

In the short reply filed on behalf of the respondents, it has been stated that in compliance with the order dated 16.08.2013, the petitioner was reinstated in service vide order dated 28.08.2014 and thereafter, vide order dated 28.11.2014 the competent authority regularized the dismissal period of the petitioner from 21.12.2011 till the date of his reinstatement treating it as non-duty period.

It has also been stated in the reply that vide the aforesaid order, the dismissal period of the petitioner has been taken into consideration for the purpose of continuity in service and he is ordered to be promoted as Assistant Foreman with deemed date of promotion w.e.f. 03.12.2012.

Learned counsel for the petitioner, on the other hand, states that the order has been implemented after a period of more than one year and so the petitioner is entitled to interest.

As there was no specific direction for the order to be implemented in a given time frame, the prayer of the petitioner cannot be acceded to in this petition.

However, if the petitioner has any grievance on account of the late implementation of the order, he may take appropriate remedies as per law.

As the order dated 16.08.2013 has been complied with, the present contempt petition is disposed of as having become infructuous.

Rule discharged.

16.02.2015
dinesh

(**HARINDER SINGH SIDHU**)
JUDGE