

\$~41

* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CONT.CAS(C) 1037/2016 & CM Appl. 33431/2016**

JYOTI SHARMA Petitioner

Through: Mr. Sajan K. Singh, Adv.

versus

DR HARISUMAN BISHT & ORS Respondents

Through: Ms. Prabhsahay Kaur, ASC, GNCTD

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

%

14.09.2016

The present contempt petition has been filed alleging wilful disobedience of order dated 21st September, 2015 passed in W.P.(C) 9016/2015 wherein the respondents stated that a decision had been taken to grant benefits of ACP/MACP and promotion to the post of Office Assistant to the petitioner. The Court expected the respondents to grant the benefits within a period of three months.

Learned counsel for the petitioner states that in the writ petition, the petitioner had prayed for promotion to the post of Office Assistant with retrospective effect since the year 2008 along with the all consequential benefits. He states that though the respondents have passed an office order dated 18th December, 2015 promoting the petitioner to the post of Office Assistant, yet consequential benefits like promotion have not been granted to him.

On the other hand, learned counsel for the respondents states that she had only stated before the writ Court that the petitioner would be granted benefit of promotion to the post of Office Assistant. She clarifies that it was never stated that the petitioner would be granted promotion retrospectively with effect from 2008.

Upon a perusal of papers, this Court finds that statement of the respondents was only to the effect that the petitioner would be granted promotion to the post of Office Assistant – which has been granted in the present case. Consequently, the present contempt petition and application are closed. However, the petitioner is granted liberty to claim retrospective promotion from the year 2008.

This Court clarifies that it has not expressed any opinion on the merits of the said controversy. Rights and contentions of all parties are left open.

MANMOHAN, J

SEPTEMBER 14, 2016
NG