

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

**C.O.C.P. No.1189 of 2016 (O&M)
Date of Decision: 16.02.2017**

Surender Singh

..... Petitioner

Versus

Bhupinder Singh, HCS, Director General,
Agriculture Department, Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Nishant Arya, Advocate for
Mr. S.K.Verma, Advocate for the petitioner.

Mr. Vishal Garg, Additional Advocate General, Punjab
for the respondents/contemners.

JASWANT SINGH, J. (Oral)

This Court vide order dated 24.10.2016 passed the following order:-

“ Counsel for the petitioner has referred to the order dated 22.03.2013 passed by the Director General of Agriculture, Haryana, where the petitioner has been promoted to the post of an Accountant although subject to the claim of his seniors with immediate effect but he states that no order of reversion thereafter, has been passed and the petitioner is continuing on the said post of Accountant but despite that, the petitioner is although holding the said post but the charge and work of the post of the Accountant has been given to his junior, namely, Hari Parkash, Clerk. The salary for the post of Accountant has also been stopped by the respondents. He contends that it is, in fact, violation of the order dated 12.01.2016 (Annexure P-1), which mandated a decision on the representation dated 10.03.2014 submitted by the petitioner, which has, till date, not been decided by the respondents. He further states that no opportunity of hearing has been afforded to the petitioner. He, thus, contends that the respondents have rendered themselves liable for initiating the contempt proceedings against them under the Contempt of Courts Act, 1971.

Let notice be issued to the respondents, for 16.02.2017, to show cause as to why proceedings for contempt be

not initiated against them for non-compliance of the order passed by this Court.

Reply/compliance report to the contempt petition be filed within a period of six weeks' from the date of receipt of notice with an advance copy to the counsel for the petitioner.

In case the reply is not filed within the time stipulated, the same shall be received by the Registry on payment of ₹10,000/- as costs to be deposited in the account of Lawyers Welfare Fund, High Court.

*Copy of the contempt petition be supplied to Mr. Sushil Gautam, Deputy Advocate General, Haryana, during the course of the day under proper receipt for appropriate action. Copy of the order be given **dasti** to the State counsel under signatures of the Bench Secretary of this Court.*

Copy of this order be also sent along with the notice to respondents for information and compliance. ”

Upon notice, reply on behalf of respondent No.1 has been filed, wherein it is submitted that the representation dated 10.03.2014 filed by the petitioner has since been decided by passing a speaking order dated 19.12.2016 (**Annexure R-1**).

At the time of hearing, learned Counsel for the respondents submits that the present petition has become infructuous as the representation of the petitioner has since been decided after affording an opportunity of hearing to him.

In response, learned Counsel for the petitioner concedes the aforesaid submission.

In view of the above, no further action is warranted.

Accordingly, the present contempt petition stands dismissed as infructuous.

February 16, 2017

Gagan

**(JASWANT SINGH)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>