

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

Date of decision:20.01.2017

Ram Pal

.....Petitioner

VS

Sh.SS Dhillon and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.Dinesh Nagar,Advocate for the petitioner.

Jaswant Singh,J(Oral)

Instant contempt petition has been moved for the alleged non-compliance of the directions contained in the appellate Court decree dated 21.10.2015. The appellate Court decree reads as under:-

“This appeal is coming on 21.10.2015 for hearing before me Roopam Singh, Additional District Judge, Chandigarh in the presence of Sh.N.K.Nagar,Advocate, counsel for the appellant and Sh.Ashwani Chander, Government Pleader for respondent.

It is ordered that the appeal is allowed with cost to the effect that the respondents are directed to reconsider the representation filed by appellant against the adverse remarks recorded in his ACR pertaining to the year 2003-04, in the light of instructions bearing no.4304-24/A3/E3 dated 1.6.2000 and thereafter to reconsider the order vide which appellant was denied extension of service after completion of 55 years of age. The respondents are further directed to decide the case of the appellant afresh within a period of four months from today.”

The petitioner while working as Conductor was prematurely retired while considering his case for extension in service beyond 55 years.

The basis for arriving at that decision by the competent authority was, *inter*

alia, based on the ACR pertaining to the year 2003-04. The petitioner filed a suit for declaration challenging the order of premature retirement alongwith consequential benefits. The suit was dismissed vide judgment and decree dated 25.8.2014 passed by the learned Civil Judge (Junior Division)Chandigarh. The appellate Court vide judgment and decree dated 21.10.2015 passed decree, as noticed above.

After arguing for sometime counsel for the petitioner prays for permission to withdraw the instant contempt petition to enable his client to avail legal remedy in accordance with law.

Dismissed as withdrawn with liberty aforesaid.

20.01.2017
joshi

(Jaswant Singh)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable:	Yes/No