

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

COCN No. 1453 of 2016 (O&M)

Date of Decision: 10.03.2017

Surender Kumar

..... Petitioner

Versus

Sh. Anil Kumar Gupta, Engineer-in-Chief, Irrigation &
Water Resources Department Haryana, Panchkula

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. S.K. Hooda, Advocate
for the petitioner.

Mr. Sidharth Sanwaria, Deputy Advocate General, Haryana
for the respondent.

JASWANT SINGH, J. (ORAL)

Petitioner-Surender Kumar alongwith other Assistant Revenue Clerks were promoted as *Ziledars*. Subsequently vide order dated 28.11.2014, their orders of promotion were withdrawn, on the ground that at the time of their promotion, they did not have the three years approved service as per the requirement of the Punjab Public Works Department (Irrigation Branch) *Ziledars'* State Service, Class-III, Rules 1955.

The petitioner alongwith others filed CWP No. 9633 of 2015, which was disposed of vide order dated 08.10.2015 (**Annexure P-1**), whereby the promotion orders dated 08.08.2014 were restored and the impugned order dated 28.11.2014 set aside being in violation of the principles of natural justice, however, liberty was granted to the respondent-Department to proceed afresh regarding reversion of the petitioners by

following the principles of natural justice.

Since the needful was not done within the stipulated time, the present contempt petition was filed.

At the time of hearing, in compliance, Sh. Anil Kumar Gupta, Engineer-in-Chief, who stands retired w.e.f. 31.01.2017, as well as the present incumbent Sh. Birender Singh, are present in Court. An additional affidavit dated 09.03.2017 on behalf of the respondent has been filed in Court today, wherein it is submitted that in compliance of order dated 08.10.2015 (**P-1**) passed by this Court, the pay of the petitioner in the rank of *Zileदार* payable till March 2017 has since been released vide order dated 03.03.2017 (**Annexure R-1**). The said affidavit dated 09.03.2017 is taken on record.

In view of the stand of the respondent, no further action in the present contempt petition is warranted, therefore, the same stands dismissed as infructuous.

March 10, 2017

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No