

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH.

COCP 1742 of 2017

Date of Decision: July 11, 2017

Jiwan Kumar Goyal

.....Petitioner

Vs.

Dr. G. Vajralingam and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI.

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Present:- Mr. Surinder Garg, Advocate for the petitioner.

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**M.M.S. BEDI, J. (ORAL)**

The petitioner claims that though the writ petition filed by the petitioner and similarly circumstanced persons had been dismissed but a direction had been given to the respondents that upgradation of the scales of pay recommended by the Pay Commission would be made admissible on the basis of the general conversion table w.e.f. October 1, 2011 on a uniform basis.

Petitioner claims that the said order has not been complied with.

Before taking any action for commission of contempt of Court by any act this Court has to arrive at a conclusion that there has been willful disobedience of the order passed by this Court. The order passed in CWP No. 4948 of 2012 is an order of dismissal of the writ petition but the

direction which has been issued is on the basis of the admitted stand of the State. The petitioner seems to have not approached respondents No.1 and 2 with a request to implement the observations/ directions of the Court in order dated October 11, 2013 as such prima facie there does not appear to be any willful disobedience of any direction at this stage.

Petition is disposed of as premature with liberty to the petitioner to approach the respondents with a representation for implementation of the order dated October 11, 2013. In case of non-compliance of the order, it will be open to the petitioner to approach this Court again.

July 11, 2017  
sanjay

(M.M.S.BEDI)  
JUDGE

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|-----------------------------|----------|
| Whether speaking/ reasoned: | Yes/ No. |
| Whether reportable:         | Yes/No.  |