

COCF No.1984 of 2016 (O&M)

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

COCF No.1984 of 2016 (O&M)

Date of Order: 30.1.2017

Malkit Singh Kazal

....Petitioner

Versus

Shri Nirmaljeet Singh Kalsi & Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gurminder Singh, Sr. Advocate with
Mr. Raman Preet Singh, Advocate for the petitioner.

JASWANT SINGH, J (ORAL)

A Superintending Engineer belonging to the General Category-Satish Kumar Gupta filed CWP No.8045 of 2016 aggrieved against non-filling up of vacancy qua second post of Chief Engineer, which was to arise on 04.6.2015. Arvinder Singh, Superintending Engineer belonging to the General Category was to occupy the 1st vacancy, however, apprehending the delay in filling up of the second vacancy, the aforesaid writ petition was filed, wherein the present petitioner, who belongs to Scheduled Caste Category, had been impleaded as respondent.

Said writ petition was disposed of vide order dated 30.5.2016 directing the Authorities to take a decision after seeking opinion from the Advocate General office regarding appropriation of the vacancy either to reserved category or General Category and thereafter convey the same to the affected party.

Although it is debatable as to whether the respondents in the aforesaid writ petition could invoke the contempt

jurisdiction, however, at the time of hearing, learned counsel for the petitioner contends that a decision, in compliance of order dated 30.5.2016, regarding filling up of the vacancy from the General Category stands taken on 20.10.2016 qua which the petitioner has already availed his separate remedy.

Having faced with the aforesaid facts, learned counsel concedes that no further action is warranted.

Present contempt petition is, therefore, dismissed as having become infructuous and the Rule is discharged.

January 30, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No