

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

COCP-2334-2016

Date of decision: 17.07.2017

Rajpal

...Petitioner

V/s.

Vikas Gupta and others

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY.

Present:- Mr. Yesh Paul Malik, Advocate for the petitioner.

Mr. Siddharth Sanwaria, DAG, Haryana.

Mr. Prateek Majahan, Advocate
for respondents No. 2 and 3.

DAYA CHAUDHARY, J. (Oral)

Learned counsel for the petitioner submits that order dated 04.04.2016 was in the knowledge of the respondents but none appeared on behalf of respondents at the time of final hearing. A direction was issued to the respondents to regularize the service of the petitioner w.e.f. 01.10.2003 in view of policy/instruction dated 01.10.2003 and also in view of judgments cited in this regard. It was also held that the petitioner would be entitled to benefit of continuity in service and other consequential benefits. The order was to be complied with within a period of three months from the date of receipt of certified copy of the order.

Learned counsel for the petitioner submits that the copy of the order was supplied and ultimately a legal notice was also served upon the respondents on 11.07.2016. Learned counsel for the petitioner has also annexed copy of letter dated 18.05.2016 issued by Estate Officer, HUDA, Hisar wherein it has been mentioned that copy of order was supplied on

04.05.2016. Meaning thereby the order was brought to the notice of the respondent-Department on 04.05.2016. Said order was to be complied with within a period of three months i.e. upto 04.08.2016 but the compliance has been made on 28.11.2016. Admittedly, there is delay in compliance of the order. However, claim of the petitioner has been considered and he has been regularized.

Since compliance of the order has been made, no case is made out to initiate contempt proceedings and the same is disposed of accordingly.

July 17, 2017

Divyanshi

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned : **Yes/No**

Whether reportable : **Yes/No**