

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

**C.O.C.P. No.258 of 2016
Date of Decision: 20.01.2017**

Suneel Kumar Gulati

..... Petitioner

Versus

Vikas Partap, IAS

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Marinal Sharma, Advocate for
Mr. Gitish Bhardwaj, Advocate for the petitioner.

Mr. Anant Kataria, Deputy Advocate General, Punjab.

JASWANT SINGH, J. (Oral)

The petitioner joined the M.C., Rajpura department as Accountant Grade-I on 12.01.1984. On 04.04.2005, he was promoted as E.O. Class-III w.e.f. 02.12.1994. Thereafter, on 04.10.2005, he was again promoted as E.O. Class-II w.e.f. 17.02.1999.

The petitioner, while working as Accountant at Municipal Council, Mohali, was convicted under the Prevention of Corruption Act by learned Special Judge, Mohali, vide order dated 28.01.2011. Thereafter, he was dismissed from service vide order dated 08.06.2011. The petitioner preferred an appeal against the said order and was acquitted by this Court, vide order dated 17.12.2012. He was reinstated vide office order dated 03.10.2013. The petitioner made representation(s) to the department concerned for his promotion from the post of Executive Officer Class-II to Executive Officer Class-I from the date when his juniors were promoted and served a Legal Notice to the department. Since he was not promoted as

Executive Officer Class-I, he filed CWP No.10715 of 2015. The said petition was disposed of vide order dated 26.05.2005 with a direction to the respondent(s) to decide the Legal Notice dated 24.10.2014 of the petitioner by passing a speaking order and after affording opportunity of hearing to the petitioner preferably within one month from the receipt of certified copy of that order.

In the present contempt petition, the allegation is regarding violation of the directions.

Upon notice, reply dated 30.09.2016/17.10.2016 has been filed. In the reply, it is submitted that Legal Notice after providing personal hearing to the petitioner and representation of the petitioner have been decided vide order dated 16.05.2016 (**Annexure R/1**). Thus, it is submitted that the directions of this Court have been complied with.

In view of the aforesaid stand, learned Counsel for the petitioner prays for permission to withdraw the present contempt petition.

Accordingly, the present contempt petition stands dismissed as withdrawn.

January 20, 2017

Gagan

(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>