

COCN No.2750 of 2016(O&M)**Date of decision:14.03.2017**

Manoj Kumar

... Petitioner

VS.

G. K. Mathur & others

... Respondents

CORAM : HON'BLE MR. JUSTICE JASWANT SINGH

* * *

Present : Mr. Om Parkash Sharma, Advocate
for the petitioner.Mr. Vivek Singla, Advocate
for the respondents.

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JASWANT SINGH, J.(ORAL)

A Division Bench of this Court vide order dated 21.08.2015, passed in CWP No.2345 of 2014 (Annexure P-1), had directed the petitioner- Manoj Kumar (respondent No.1 therein) to be promoted as Upper Division Clerk (UDC) if otherwise found fit by the Departmental Promotion Committee within two months from the date of the aforesaid order.

At the time of hearing, an affidavit dated 10.03.2017 of Sh. S. C. Kaushik, Principal Director, Defence Estates, Western Command, Chandigarh has been filed in Court which is taken on record. Copy of the same has been furnished to learned counsel for the petitioner.

In the reply, it is submitted that the respondents have fully complied with the direction by passing an order dated 10.03.2017 (**Annexure R-1**), whereby the petitioner has been promoted to the post of UDC w.e.f. 31.08.2009 i.e. the date when other employees who had passed the same limited departmental examination and were having lower merit

than the petitioner were promoted as UDC.

Learned Counsel for the respondents submits that the present contempt petition has become infructuous.

In response, learned Counsel for the petitioner prays for time to verify the aforesaid factual position.

In view of the aforesaid development, the present contempt petition is disposed of as infructuous.

However, liberty is granted to the petitioner to revive the present contempt petition by filing an application, in case the directions passed by this Court have not been fully complied with.

(JASWANT SINGH)
JUDGE

March 14, 2017
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>