

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.O.C.P. No. 2766 of 2015 (O&M)

DATE OF DECISION:05.09.2017

Paras Ram

.....Petitioner

Versus

Vikas Yadav and another

.....Respondents

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Dalbir Singh, Advocate
for the petitioner.

Mr. Rajesh K. Sheoran, Addl. A.G., Haryana.

Mr. Sajjan Singh, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

C.M. No. 18591-CII of 2017

This application has been filed for placing on record an affidavit of respondent No.2 along with Annexures D-1 to D.5.

Application is allowed and affidavit of respondent No.2 along with Annexures D-1 to D-5 are taken on record.

C.O.C.P. No. 2766 of 2015

An affidavit of respondent No.1 has been filed in Court today and the same is taken on record.

After hearing the arguments advanced by counsel for both the parties at length, the undertaking given by learned State Counsel in C.W.P. No. 19584 of 2015 on 24.9.2015 is not applicable to the facts and circumstances of the case. Moreover, the petitioner has also not moved any

representation in pursuance of aforesaid order and in absence thereof no action was taken.

Learned counsel for respondent No.2 submits that although the petitioner was allowed to continue as Extension Lecturer but by considering the nature of duties and the fact that he was getting salary on lecture basis, therefore, he was not entitled for salary for summer vacations also.

When disputed question of facts are involved, no contempt can be initiated.

However, keeping in view the facts and circumstances of the case, the petitioner is at liberty to move detailed representation to the respondent-authorities within a period of one month from today. In case such representation is moved by the petitioner, the respondent-authorities are directed to consider the same as per averments made therein as well as the action taken by the respondents in case of similarly situated candidates. If the petitioner is not found to be entitled for the relief sought for in the representation, a detailed speaking order be passed. It is also made clear that in case presence of the petitioner is required by the respondent-authorities, he be informed properly by sending a written communication. The necessary exercise be done within a period of three months after the submission of representation.

Disposed of accordingly.

In case the petitioner is still aggrieved in any manner, he is at liberty to avail appropriate remedy.

September 05, 2017
pooja

(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No