

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

COCN No.291 of 2017

Date of decision: 09.02.2017

Sri Ram

..Petitioner

Versus

Sh. Shakti Singh

..Respondent

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. J.P. Dhull, Advocate
for the petitioner.

Daya Chaudhary, J. (Oral)

This petition has been filed for initiation of contempt proceedings against the respondent for willful disobedience of order dated 11.01.2016 (Annexure P-1) passed by this Court in CWP No.17812 of 2013.

Learned counsel for the petitioner submits that the petitioner filed said writ petition challenging rejection order dated 18.04.2012 whereby pay of the petitioner was reduced and the same was admitted vide order dated 11.01.2016 and operation of order Annexure P-2 was also stayed. Learned counsel also submits that order dated 11.01.2016 is annexed as Annexure P-1 with this contempt petition.

On perusal of Annexure P-4, it is apparent that it is reply to the legal notice submitted by the petitioner and it is only reply to the notice served upon the respondents. It cannot be said that the compliance of the order is there as only the factual position has been conveyed by way of reply to the legal notice. However, it is expected that an order of recovery should

have been conveyed to the petitioner. The impugned order could have come into operation in case, any order of reduction of pay has been passed but no such order is on record.

Hence, no ground is made out to issue notice in the contempt petition as there is no willful disobedience of the order passed by this Court.

Disposed of accordingly.

However, the respondent is directed to convey the order of recovery, if the same has not been conveyed. In case, any order has been passed or is to be passed subsequently, the petitioner is at liberty to avail the appropriate remedy.

09.02.2017
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(DAYA CHAUDHARY)
JUDGE

Whether speaking/reasoned	√ Yes/No
Whether Reportable	√ Yes/No