

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

**COCP-3314-2017 (O & M)
Date of decision: 13.11.2017**

Jai Bhagwan Chaukidar

....Petitioner(s)

V/s

Anurag Rastogi, IAS and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.S. Sangwan, Advocate, for the petitioner.

Mr. Rohit Arya, AAG, Haryana.

Rajan Gupta, J. (Oral)

Notice of motion.

On the asking of the Court, Mr. Rohit Arya, AAG, Haryana, present in court, accepts notice.

Petitioner alleges violation of order dated 19.04.2017, Annexure P-1, passed by the writ court. Operative part thereof reads as under:-

“In this regard, there is no demand before the competent authority/Government. In the absence of demand before the competent authority, this court cannot issue directions or writ of mandamus to create avenue of promotion from the post of Chowkidar. Thus, the petitioners have not made out a case so as to interfere in the matter.

According, petition stands dismissed. Reserving liberty to the petitioners to approach the competent authority/Government seeking avenue of promotions from the cadre of Chowkidars to any other higher post. If such representation is made, competent authority/Government is directed to consider the grievance in accordance with law.”

Learned State counsel, at the outset, submits that in case no appeal is preferred against the order, it shall be complied with at the earliest, in any case, not later than one month.

In view of statement made by learned State counsel, no further direction is necessary. In case, any fresh cause of action accrues to the petitioners to invoke contempt jurisdiction of the court, apart from initiating proceedings under the Act, it shall consider imposition of punitive costs, which shall be deducted from the salary of the officials responsible for delay/non-compliance.

Disposed of.

November 13, 2017
sukhpreet

(RAJAN GUPTA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No