

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

Date of decision:03.03.2017

Ramji Dass and others

.....Petitioners

v.

KS Pannu,IAS and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.HS Saini,Advocate for the petitioners in
COCP No.948/2015.

Mr.Vivek Sharma,Advocate for petitioners in
COCP No.791/2016.

Mr.Amit Kataria,DAG Punjab for respondent no.1.

Mr.Amit Sethi,Advocate for respondent no.2.

Jaswant Singh,J.

This order shall dispose of aforesaid two contempt petitions as the orders dated 24.5.2013(P-1), 16.10.2014(P-3) and 9.2.2015(P-5), disobedience of which is alleged are common and the issue raised being identical.

Facts are,however, being noticed from COCP 948/2015.

Petitioners were initially engaged as Assistant Engineers on Current Duty Charge in the erstwhile Punjab State Tube Well Corporation, later on renamed as Punjab Water Resource Management and Development

Corporation (for short respondent Corporation). They filed CWP 6583/1999 challenging the order dated 3.5.1999 whereby some private respondents were sought to be appointed as Assistant Engineers in the respondent Corporation by way of deputation. Further prayer was to consider the claim of petitioners for their regular promotion to the post of Assistant Engineers being fully eligible and to quash directions issued by the State Government to respondent Corporation for fixing/modifying a quota for appointment of State Government Officers in the respondent Corporation by way of temporary deputation etc.

The said writ petition was allowed vide order dated 24.5.2013 (P-1) alongwith a bunch of similar writ petitions holding that the appointments made to the post allowing the persons/petitioners to hold temporary charge must be taken as holding the post in the vacancies available for them and the respondents were bound to consider the appointment as made for the post to which the petitioners were entitled and scales for the promotional post shall be from that day when they held the current duty charge and all consequential benefits shall be calculated and released to them within a period of 12 weeks from the date of receipt of copy of the order.

The said order has attained finality as the appeals filed by the respondents against order dated 24.5.2013(P-1) stood dismissed vide order dated 16.10.2014(P-3) passed in LPA No.1825/2013 and order dated 9.2.2015(P-5) passed by Hon'ble Supreme Court in SLP(CC) 3305/2015.

Instant contempt petitions have been filed alleging that despite the order dated 24.5.2013(P-1) having attained finality the respondents are

yet to grant them the benefit of regular promotions to the post of Assistant Engineers with effect from the date they were granted the current duty charge of the said post with all other consequential benefits.

Notice of motion was issued.

During the course of hearing of instant contempt petitions, on 25.10.2016 and 16.12.2016 learned counsel for respondent no.2 had handed over cheques, as detailed in said orders, towards the arrears due and payable to petitioners in both the contempt petitions in compliance of the judgment (P-1). The only grievance of the petitioners as noticed in the order dated 16.2.2017 was that although the arrears in compliance of the judgment have been paid by respondent no.1, however, there is no formal order of refixation of their pay so as to facilitate entry in the service book maintained by respondent no.1. Since none had put in appearance on 16.2.2017 on behalf of respondent no.2, respondent no.2 namely Mr.S.S.Grewal, Managing Director of respondent Corporation was directed to be personally present in Court on the next date of hearing i.e. today.

In compliance of the order dated 16.2.2017, respondent no.2-Mr.S.S.Grewal, Managing Director of the respondent Corporation has put in appearance.

At the time of hearing today, learned counsel for the petitioners, upon instructions, state that the instant contempt petitions have become infructuous as the needful in terms of order dated 16.2.2017 has been done by the respondents and as such order dated

24.5.2013(P-1) stands complied with in its entirety.

In view of the above, both the contempt petitions are dismissed as having become infructuous.

A copy of this order be placed on the file of COCP791/2016.

03.03.2017
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No