

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

Date of decision:07.03.2017

COCP 535/2017

Narinder Singh and others

.....Petitioners

v.

Sh.Sarvesh Kaushal and another

.....Respondent

COCP 536/2016

Lakhwinder Kaur and another

.....Petitioners

v.

Sh.Sarvesh Kaushal and another

.....Respondent.

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Vikas Chatrath,Advocate for the petitioners.

Jaswant Singh,J.

This common order shall dispose of aforesaid two contempt petitions as the issue involved in both the petitions is identical.

Facts,are however, being noticed from COCP 535/2017.

Petitioners,who were aspirants and applied for 892 posts of Clerks advertised in the year 1997 by Government of Punjab had filed

CWP 20272/2004 titled **Amrik Singh and others v State of Punjab**

and others seeking a direction to the respondents to consider their claim for issuance of appointment letters against the said posts which became available within 6 months from the date when recommendations of selections were received. Reliance was placed on the judgment of Hon'ble Apex Court in **Varinder Singh Hooda v State of Haryana, 1992(2) SCT 652(SC)** and judgment passed by this Court in CWP 7491/2002. The said writ petition was disposed of by this Court vide order dated 5.5.2016, the operating part of which reads as under:-

“Consequently, all the writ petitions are disposed of with liberty to the petitioners to make a request to the competent authority to consider their cases for the sole reason that this Court is not one hundred per cent sure whether the affidavit filed by the Chief Secretary, Punjab before the Bench which passed the order under review was unimpeachable and truthful in its statement made before the Court. The material placed on record by Mr. Attariwala in the application perhaps indicates to the contrary that something was not quite right in the State taking the plea in writing that no posts were lying vacant from the selection made in 1996-97 of a large number of Clerks to serve in the various Departments of the Government.

It will be up to the Government to consider the grievance of the petitioners holistically and if law provides.”

Now instant contempt petitions have been filed alleging that despite petitioners representing to the respondents to take action in compliance of the order dated 5.5.2016 passed by this Court, no action has been taken.

At the time of hearing today, learned counsel for the

petitioners submits that both these contempt petitions have been rendered infructuous as speaking order dated 2.3.2017 has been passed in compliance of the order dated 5.5.2016 passed by this Court, though petitioners wish to challenge the said speaking order dated 2.3.2017 in accordance with law.

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 COCP 536/2017.

07.03.2017
joshi

(Jaswant Singh)
Judge

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