

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

**COCP 1203/2018**

**Date of decision: 19.04.2018.**

Joginder Kumar

.....Petitioner

v.

Sh.Ramvir IAS Deputy Commissioner and another

.....Respondents

**Coram: Hon'ble Mr. Justice Jaswant Singh**

**Present:- Mr. SS Behl, Advocate for the petitioner**

**Jaswant Singh, J. (Oral).**

It is claimed that petitioner belongs to Kori caste which is recognized as a Scheduled Caste by the State of Punjab. He was appointed as a Clerk on 27.7.1999 on compassionate basis in the office of Tehsildar Zira. The petitioner was issued a Scheduled Caste certificate on 25.2.2004 by the office of Tehsildar, Zira which was subsequently withdrawn vide order dated 23.3.2005 without following principles of natural justice. Petitioner filed CWP 7014/2005, challenging the order of cancellation of Scheduled Caste certificate, which was allowed by a Division Bench of this Court vide order dated 3.8.2006 setting aside the order of cancellation with liberty to respondents to pass a fresh order. A fresh order dated 21.11.2006 was passed whereby the Scheduled Caste certificate issued to the petitioner was held to be valid leading to the petitioner being promoted as Senior Assistant against a reserved point for Scheduled Caste vide order dated 18.12.2006.

The grievance of the petitioner is that now after a lapse of 11 years a fresh show cause notice dated 7.12.2017 (P-7) has been issued in

purported compliance of the directions dated 3.8.2006 passed by a Division Bench of this Court in CWP 7014/2005. A reply dated 12.12.2017 (P-8) to the said show cause notice stands filed. Not only aforesaid action, a proposal for registration of FIR for fraudulently obtaining aforesaid certificate has been forwarded.

The present contempt has been filed with the averments that the respondents have committed contempt of Court by undertaking false plea of enforcing directions dated 3.8.2006 which already stand complied with.

After hearing the learned counsel for the petitioner, in the opinion of this Court, no ground exists for invoking contempt jurisdiction. However, the petitioner would certainly have a cause of action for invoking writ jurisdiction for redressal of his grievance,if any.

Disposed of.

19.04.2018  
joshi

(Jaswant Singh)  
Judge

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|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |