

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

COCP No.1779 of 2018 (O&M)
Date of Decision: 17.12.2018

Kamlesh Kumar and others

....Petitioners

Versus

Hargunjeet Kaur and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. D.S. Rawat, Advocate, for the petitioners.

Mr. Aditya Sharda, Assistant Advocate General, Punjab.

Mr. Sanjeev Soni, Advocate, for respondent No.1.

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition has been filed for non-compliance of the order dated 11.1.2018, vide which respondent No.3 was directed to pass a speaking order after taking into consideration the instructions dated 14.3.2017 and also judgment rendered in CWP No.5956 of 2008, titled as Charan Dass vs. State of Haryana.

Reply by way of short affidavit of Parshant Kumar Goyal, Vice Chairman-cum-Secretary of Punjab School Education Board, Mohali, I.E. dated 30.7.2018 filed in Court is taken on record. As per the said reply, the matter was considered by way of passing a speaking order dated 27.7.2018.

Learned counsel for the petitioners, however, submits that the instructions dated 14.3.2017 were not taken into consideration. As per the instructions, the respondents were required to pay arrears from the date they were promoted, which has not been done.

While passing speaking order, the respondents specifically held

that the pay parity to all the employees of the State were adopted by the office vide its notification dated 21.3.2017, but prior to instructions issued by the Government the pay anomaly had already been removed by the office in compliance of the order of the High Court. Meaning thereby the employees were given financial benefit of three year prior to legal notice dated 27.10.2009 w.e.f. 27.10.2006.

In view of above, no contempt is made out. The contempt petition is accordingly dismissed.

However, in case the petitioners are still aggrieved, they are at liberty to challenge the order dated 27.7.2018, in accordance with law, if so advised.

Rule against the respondents stands discharged.

(NIRMALJIT KAUR)
JUDGE

17.12.2018

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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No