

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

**COCP 2020/2016
Date of decision:8.2.2018**

Kuldeep Singh

.....Petitioner

VS

Ram Niwas,IAS and another

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.Rohit Jindal,Advocate for
Mr.Sunil K.Nehra,Advocate for the petitioner.

Mr.Indresh Goel,Addl.AG Haryana for respondents.

Jaswant Singh,J(Oral)

Petitioner was appointed as a Constable on 15.4.1992 in Haryana Police in Commando Police Force. On 22.8.2002 he was transferred from Commando Cadre to District Panchkula. While working in Panchkula he was promoted as a Head Constable w.e.f. 20.7.2004. On 21.4.2006 his juniors in the Commando Police Force were promoted as Assistant Sub Inspectors whereas petitioner continued as Head Constable. Aggrieved against the promotion of his juniors in the Commando Cadre, he filed CWP 16618/2008 which was allowed by learned Single Judge vide order dated 8.10.2015 with a direction to respondents to consider the case of the petitioner for promotion to the post of Assistant Sub Inspector with effect from the date his juniors have been promoted with all consequential benefits.

The judgment dated 8.10.2015 passed by learned Single Judge was challenged by the State of Haryana by filing LPA 1263/2016 . The learned LPA Bench vide order dated 20.2.2017 after setting aside the judgment dated 8.10.2015 remitted the case back to

the learned Single Judge for fresh adjudication on the issues raised by learned LPA Bench. Further promotions were directed to be subject to the final outcome of the writ petition.

The instant contempt was filed by the petitioner on 19.8.2016 alleging disobedience of directions contained in the judgment dated 8.10.2015 passed by the learned Single Judge.

Heard learned counsel for the parties.

As is apparent the judgment passed by the learned Single Judge was set aside by the LPA Bench vide order dated 20.2.2017 passed in LPA 1263/2016 and case stands remitted back to the Single Judge for fresh adjudication. That apart, during the course of hearing it has been brought to the notice of this Court that aggrieved against the decision of the LPA Bench, petitioner filed SLP(C) No.15778-15779/2017 wherein Hon'ble the Supreme Court vide order dated 5.7.2017 has stayed operation of the impugned judgments and orders passed by this Court. Thus, it would be apparent that no willful disobedience of the judgment dated 8.10.2015 passed by learned Single Judge is made out.

Dismissed.

08.02.2018
joshi

(Jaswant Singh)
Judge

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