

IN THE HIGH COURT OF PUNJAB AND HARAYANA AT CHANDIGARH

110+239

**CM-14975-CII-2018 &
CM-9715-CII-2018 &
COCP-942-2018**

Date of decision: 25.07.2018

DHARMENDER AND ORS.

...PETITIONERS

V/S

T C GUPTA AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Girish Agnihotri, Sr. Advocate,
with Mr. Ashish Kumar, Advocate,
for the petitioners.

Mr. Ravi Pratap, AAG, Haryana,
for the State.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM-14975-CII-2018

C.M. is allowed subject to just exceptions. Additional affidavit on behalf of petitioner No. 1 along with Annexure A-1 (Colly) is taken on record.

COCP-942-2018

Status report in compliance with the order dated 29.05.2018 passed by this Court is taken on record, copy thereof has already been supplied to the counsel for the petitioners.

Petitioners have approached this Court alleging non-compliance of the order dated 17.01.2018 passed by this Court in CWP No. 21132 of 2016 where the petitioners were private respondents and the writ petition stands dismissed giving liberty to the State Government to fill up the posts available by appointing contractual employees, which shall be subject to the appointment of regular employees.

A perusal of the judgment would show that there is no such direction issued by this Court that the selected contractual employees should be appointed after the dismissal of the writ petition, what has been stated in the order is only limited to the extent of giving discretion to the State to appoint Instructors in the interest of the public at large and the students by stop gap arrangement on contractual basis.

It is the contention of the learned senior counsel for the petitioners that 1/3rd of the selected candidates have already joined subject to the outcome of the writ petition and with the dismissal of the writ petition, petitioners are being discriminated against who are similarly placed and are selected for recruitment on contract basis.

This contention of the learned counsel for the petitioners cannot be dealt with in the contempt petition. If the petitioners so feel, they may avail of their remedy in accordance with law.

No contempt, as such, is made out from the order dated 17.01.2018 passed by this Court. The contempt petition, therefore, stands dismissed.

Rule issued to the respondents stands discharged.

CM-9715-CII-2018

In view of the dismissal of the main case, the present application has been rendered infructuous and the same is disposed of as such.

July 25, 2018*pj***(AUGUSTINE GEORGE MASIH)
JUDGE****Whether speaking/reasoned: Yes/No****Whether Reportable: Yes/No**