

COCN No. 1765 of 2017 (O&M)
DECIDED ON: SEPTEMBER 19, 2019

NARINDER PAL SHARMA AND OTHERS

.....PETITIONERS

VERSUS

KRISHAN KUMAR, IAS AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Ms. Alka Chatrath, Advocate, for the petitioners.

Mr. Aditya Sharda, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed alleging wilful disobedience of the order dated 30.11.2016 passed by this Court in CWP No. 13563 of 2016 and other connected matters. The operational part of the order is reproduced below:-

“Therefore, CM No.15228-CWP of 2016 is allowed and in continuation/modification of the order dated 10.08.2016, it is ordered that the petitioners, as also other similarly situated employees (Masters/Mistresses) shall be granted provisional promotions to the post of Lecturer in their respective streams as per their seniority subject to fulfillment of the promotional criteria, against the available vacancies in the promotion quota subject to the final outcome of the present set of writ petitions. Thus, the State is discharged from its stated stand in the order dated 10.08.2016 regarding non-filling of the remaining vacancies in the promotion quota.”

On the last date of hearing i.e. 05.07.2019, it was submitted that seniority list has been finalized but no decision was taken on the issue whether the petitioners are eligible for promotion or not.

Pursuant to the order dated 05.07.2019, Mr. Sukhjeet Pal Singh, Director Public Instructions (SE), is present in Court.

Learned State counsel, on instructions from Mr. Sukhjeet Pal Singh, submits that petitioners No. 1 to 12, 15, 18, 19, 22 and 24 have been promoted and the claim of the rest of the petitioners have been rejected, as they are not found eligible.

Learned counsel for the petitioners is neither able to verify the aforesaid fact nor to contradict the same for lack of instructions. She states that liberty be granted to the petitioners whose claims for promotion have been rejected, to avail remedy in accordance with law.

Disposed of as infructuous with liberty as prayed for.

With regard to issue raised by this Court on 05.07.2019, Mr. Sukhjeet Pal Singh, states that he has no explanation to put forth that why for three different cases three officials had come to the Court that too without proper instructions. He further states that it is not appropriate that if in the same Court number of cases are fixed, different officials are bringing files instead of one bring all files. He assures this Court that due action would be taken and in future it would be ensured that instructions are passed to the State counsel well in advance. He also submits that further vigil will be kept that the official who come to attend the Court proceedings reaches back to his seat to do his work for the rest of the day as soon as the proceedings are completed.

Rule issued against the respondents stands discharged.

SEPTEMBER 19, 2019
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>