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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2370-2018
Date of decision: 25.09.2019

CHANCHAL PATHAK

.. PETITIONER

VERSUS

HARJIT SINJGH AND OTHERS

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr Arvind Bansal, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. H.S.Jugait, Advocate
for respondent No.2.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 16.02.2017 passed by this Court in a bunch of writ petitions main case being ***CWP No. 273 of 2014*** titled as ***Jagdish Singh and others Versus State of Punjab and others***. The relevant part of the order is reproduced below:

“In these circumstances, all the abovenoted 162 writ petitions are disposed of with directions to the respondents to consider the case of the petitioners in the light of the judgments of this Court in A.P. Sharma's and Karanvir Singh's cases (supra) and if it is found that the petitioners are covered by the said judgments, then extend the similar benefits to the petitioners also in those petitions and in case, it is found that they are not covered by the said judgments, then pass a speaking order, denying the said benefits. The needful be done within three months from the date of receipt of certified copy of

this judgment. If it is found that the petitioners are entitled to the arrears, the same shall also be released within two months from the date of passing of speaking order alongwith with interest, as per the Government instructions.

However, the government can wait for the decision of the SLP filed against A.P. Sharma's case(supra) or against Karanvir Singh's case (supra) and take a final decision after the decision of the SLPs. If the SLPs are dismissed, the directions contained in this order shall be complied with within two months of the dismissal of the SLPs and if SLPs are allowed, then subject to the decision of the SLPs.”

A short reply by way of affidavit of Ms. Indu Malhotra, Director Public Instructions (College), Punjab, filed in Court today, annexing order dated 15.01.2019 is taken on record. A copy of the same is handed over to learned counsel for the petitioner.

Learned counsel for the petitioner submits that liberty be granted to avail remedies in accordance with law against the order dated 15.01.2019 as the claim of the petitioner has been rejected.

In view of the above, the contempt petition is disposed of with liberty as prayed for.

Rule issued against the respondents is discharged.

25th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*