

COCP No.2713 of 2018 (2 cases)

Date of Decision: 08.04.2019

Vijay Kumar and another

.....Petitioners

Versus

Krishan Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAURPresent: Mr. Rohit Sapehiya, Advocate for
Mr. Rai Singh Chauhan, Advocate for the petitioners.

Mr. P.S. Bajwa, Addl. Advocate General, Punjab.

NIRMALJIT KAUR, J. (ORAL)

This order shall dispose of two contempt petitions bearing COCP Nos.2713 and 2715 of 2018 as common question of law and facts are involved therein.

The contempt petitions are filed for non-compliance of orders dated 16.12.2016 and 04.05.2018, vide which, a direction was issued to respondent No.2 to grant provisional promotion to the petitioners to the post of Lecturer in their respective stream, as per their seniority, subject to the fulfilment of the promotion criteria.

Separate replies by way of affidavit of Mohammad Tayyab, Director General Education, Punjab filed in Court in both cases are taken on record. Copy given to learned counsel for the petitioners. As per the said replies, the seniority list prepared by the respondent was challenged and in pursuance to the orders passed by this Court, the respondents have now uploaded a fresh tentative seniority list on 03.11.2018. In para 9 of the said reply, it is stated that the promotion of about 9000 Masters/mistresses made in the year 2008, 2012 and 2016 would be reviewed and accordingly consequential promotions shall be made within six months against the available vacancies.

In view of the same, this Court does not find any willful contempt, at this stage. Accordingly, the present contempt petitions are dismissed.

Rule issued against the respondents stands discharged.

However, it is made clear that the respondents shall be bound by the outer time limit as mentioned in para 9 of the reply. The needful shall be completed within the stipulated time. Any lapse shall be seriously viewed. In case the needful is not done within the stipulated period, the petitioners will be at liberty to review the contempt petitions and in case the petitioners are forced to revive the contempt petitions, the respondents shall be liable for heavy penalty.

08.04.2019
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No