

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 377 of 2018
Date of decision: 18.9.2019

Rishi Dev Rohilla

.. Petitioner

v.

Vikas Gupta

.. Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. K. S. Malik, Advocate for the petitioner.
Mr. Sandeep S. Mann, Senior DAG, Haryana.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed pleading wilful disobedience of the order dated 29.3.2017 passed by this Court in CWP No. 17903 of 1997 directing the respondents to re-fix the seniority of the petitioner and pay arrears of difference in pay from 23.7.1999. It is further pleaded that the statement made by the respondent on 24.8.2017 in COCP No. 2347 of 2017 has not been adhered to.

In pursuance to notice of motion, reply dated 8.8.2018 by way of affidavit of Mr. Vikas Gupta, IAS, Director General, State Transport, Haryana was filed annexing notional promotion order, pay fixation order and order dated 26.7.2018.

Today additional affidavit of Dr. Virender Kumar Dahiya, IAS, Director State Transport, Haryana has been filed in Court, the same is taken

on record and copy handed over to learned counsel for the petitioner.

Learned counsel for the respondent states that seniority of the petitioner has been fixed but the petitioner is not entitled to any amount for difference in pay as he was already drawing financial benefits.

Learned counsel for the petitioner states that the respondent has erred in fixing seniority of the petitioner by considering a wrong date.

The grievance raised by the petitioner cannot be gone into in the present contempt petition as the directions of this Court were only to re-fix the seniority and there was no specific direction that seniority be fixed from a particular date.

In view of the fact that directions of this Court have been complied with, no further orders are called for in the present petition.

The contempt petition stands disposed of.

However, the petitioner would be at liberty to avail remedies available in accordance with law against the order fixing the seniority.

(AVNEESH JHINGAN)
JUDGE

18.9.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No