

COCN No.3863 of 2018

Date of Decision: 22.1.2019

Bijender Pal and others

.....Petitioners

Versus

Manpal Singh and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mrs. Amita Gupta, Advocate, for the petitioners.

Mr. Ashish Yadav, Additional Advocate General, Haryana.

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition has been filed for non-compliance of the order dated 13.9.2005, vide which following direction was issued:-

“We find that this matter is covered in the petitioners favour by the Division Bench judgment of this court in Sita Ram Vs. State of Haryana and others, 2004 (4) SCT 562. The present writ petition is allowed in the same terms. The necessary consequential relief shall be given to the petitioners within a period of four months from today.”

It is stated that the respondents filed SLP before Hon'ble the Apex Court and the SLP has since been dismissed. Even review petition has also been dismissed. Meaning thereby that the respondents are required to comply with the direction issued in CWP No.11892 of 2005 to grant relief in terms of the judgment rendered in the case of Sita Ram vs. State of Haryana and others, 2004 (4) SCT 562.

Affidavit of Jagdish Chander, Executive Engineer, Public

taken on record. As per the reply, the judgment rendered in the case of Sita Ram's case (supra) has since been set aside by the Hon'ble Apex Court in Civil Appeal No.5411-5430 of 2009, titled as State of Haryana and others vs. Sita Ram and others, decided on 29.10.2013. Thus, the petitioners cannot get beyond the aforesaid judgment.

In view of the above, there is no willful contempt on the part of the respondents. The present contempt petition is accordingly dismissed.

Rule issued against the respondents stands discharged.

(NIRMALJIT KAUR)
JUDGE

22.1.2019
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Whether Speaking/Reasoned	:	Yes/No
Whether Reportable	:	Yes/No