

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No. 756 of 2017

Date of Decision: 20.08.2019

Bor Nath

.....Petitioner

Versus

Dheera Khandelwal and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Deepak K. Sharma, Advocate
for the petitioner.

Ms. Deepali Puri, Addl. AG Haryana.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed pleading wilful disobedience of order dated 28.1.2015 passed in CWP No. 4203 of 2007.

The relevant portion of the order is reproduced below:

"Having heard the learned counsel for the parties at considerable length and after giving thoughtful consideration to the peculiar fact situation noticed hereinabove, all these writ petitions are disposed of with direction to the respondent authorities to adjust all the ex-employees of the erstwhile Bhuna Cooperative Sugar Mills including the petitioners, on the posts of their respective categories, against available vacant posts in other cooperative sugar mills, as well as other cooperative institutions of the respondent State, as early as possible, subject to fulfillment of eligibility criteria, prescribed under the relevant Service Rules, however, granting relaxation in age, wherever it is required.

It is further directed that the respondent authorities

shall make an endeavour to adjust all the ex-employees of erstwhile Bhuna Cooperative Sugar Mills in their respective categories, at an early date because it will be in the interest of the petitioners as well as the Welfare State. Except in the emergent situations, the respondent authorities shall not fill any vacant post in the cooperative sugar mills as well as other cooperative institutions in the State, till the ex-employees of erstwhile Bhuna Cooperative Sugar Mills are adjusted. However, it is also made clear that the appointments given to the ex-employees of erstwhile Bhuna Cooperative Sugar Mills would be treated as fresh appointments."

On the last date learned counsel for the petitioner took time to provide information with regard to available vacancies in category of petitioner either in any of the Mills or any other Co-operative Sugar Mills, the said information has not been furnished.

Learned counsel for the petitioner submits that the petitioner was a Seasonal Way Bridge Fitter and inspite of direction of the Court passed in January 2015, he has not been adjusted.

Learned counsel for respondent submits that there is no vacancy of the Seasonal Way Bridge Fitter available as on date in any of the institutions. He further on instructions from Rakesh K. Thakral, Superintendent, Haryana Sugar Federation, states that in case the petitioner provides the information with regard to available vacancy in his category, his claim would be considered expeditiously.

Learned counsel for the petitioner states that the respondents are employing Group-D employees through out source agency.

At this stage, learned counsel for the petitioner states that he may be permitted to withdraw the contempt petition on the basis of the statement made above. He further states that petitioner be granted liberty to avail remedy including approaching the respondent for accommodating the petitioner in Group-D category including outsource vacancy.

Dismissed as withdrawn with liberty aforesaid.

Rule issued against the respondents is discharged.

20.08.2019

reema

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable:	No