

COCN No. 1333 of 2019

DECIDED ON: AUGUST 19, 2019

ANURAG SINGH

.....PETITIONER

VERSUS

PARTH GUPTA, SECRETARY, HSSC

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S.K. Nehra, Advocate
for the petitioner.

Mr. Apoorv Garg, DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading wilful disobedience of the order dated 06.02.2019 passed by this Court in CWP No. 13554 of 2017.

The relevant portion of the order is quoted below:-

“8. As a result of the discussion, the petition is allowed on the strength of the report dated 14.01.2019. All adverse orders, actions and decisions of the Commission and the Police Department adverse to the rights of the petitioner No 12 are nullified. The case of the petitioner No. 12 is directed to be reconsidered in the light of this order and he may accordingly be offered appointment against one of the two available vacancies of Constable (General Duty) in BCA category. To achieve the purpose one post/vacancy is directed to be excluded from the ongoing selection process of advertised

vacancies of Constables in Haryana Police, if the said petitioner is otherwise eligible. In case he is, he will be assigned seniority from the merit position determined by the Commission in the BCA category in relation to his batch mates.

9. *However, the actual monetary benefits will accrue from the date of appointment within the time specified in this order, while the other rights will be granted notionally from the retrospective date of appointment of persons lower in merit in the same recruitment process and in the same reserved category. The entire process of appointment be concluded by the respondents within six weeks from the date of receipt or supply of a certified copy of the order, whichever is earlier.”*

Learned State counsel has placed on record a copy of order dated 04.07.2019 passed in SLP in which a direction was issued that the petitioner (respondent No.1 in the SLP) shall be appointed as police constable in one of the available vacancies. He further states that in view of the afore-said direction, the name of the petitioner has been recommended and the appointment letter is to be issued by the Director General of Police, Haryana. On instructions from Mr. Amit Kumar, Clerk, o/o Director General of Police, Haryana, he submits that the needful shall be done within two weeks from today.

In view of above, no cause of action survives in the present petition.

Disposed of as infructuous.

Rule issued against the respondent stands discharged.

The petitioner would be at liberty to revive the present contempt petition in case the afore-said statement is not adhered to.

It is made clear that in case the petitioner is forced to revive the present contempt petition, costs may be imposed and it would be recovered from the defaulting officer/official.

AUGUST 19, 2019
sham

(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>