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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-1412-2019

Date of decision: 29.08.2019

Balbir Singh Malik and others

.. Petitioners

Versus

Anand Mohan Sharan and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr.S.S.Malik Advocate
for the petitioners.

Mr. Sandeep S.Mann, Senior DAG, Haryana.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 29.11.2018 passed by this Court in CWP No. 30147 of 2018. The operative part of the order is reproduced below:

“In view of the request made, without expressing any opinion on the merits of the case and the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 25.07.2018 (Annexure P-4) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioners are entitled for any monetary benefit, the same shall also be released to them within a period of next three months.”

A short reply by way of affidavit of Manpal Singh, Engineer-in-Chief Haryana, Public Health Engineering Department filed in Court today is taken on record. A copy of the same is handed over to the learned counsel for the petitioners.

Along with reply, order dated 25.02.2019 has been annexed whereby the petitioners have been entitled for promotional increment. It has been stated that they are not entitled for monetary benefits as they were already drawing functional pay equal to what they are entitled to promotional increment.

Learned counsel for the petitioners states that in view of the order dated 25.02.2019, no cause of action survives for pursuing the present contempt petition, however, he seeks liberty to avail remedies in accordance with law against order dated 25.02.2019.

In view of the above, the contempt petition is disposed of with liberty as prayed for.

Rule issued against the respondents is discharged.

29th August, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

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