

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

Date of Decision:-13.05.2019

CACP No.6 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Jaswinder Singh.

.....Respondent.

2

CACP No.7 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Phool Chand.

.....Respondent.

3

CACP No.8 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Kulwant Singh.

.....Respondent.

4

CACP No.9 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Surinder Kumar.

.....Respondent.

5

CACP No.10 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Devi Lal.

.....Respondent.

6

CACP No.11 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Krishan.

.....Respondent.

7

CACP No.12 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Janak Raj.

.....Respondent.

8

CACP No.13 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Jagtar Singh.

.....Respondent.

9

CACP No.14 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Shiv Kumar.

.....Respondent.

10

CACP No.15 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Kanwar Bhan.

.....Respondent.

11

CACP No.16 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Raj Rani.

.....Respondent.

12

CACP No.17 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Surender Kumar.

.....Respondent.

13

CACP No.18 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Shiv Shankar.

.....Respondent.

14

CACP No.19 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Shashi.

.....Respondent.

15

CACP No.20 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Vijender Kumar.

.....Respondent.

16

CACP No.21 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Subash.

.....Respondent.

17

CACP No.22 of 2019(O&M)

Dr. Kailash Chandra Sharma & Anr.

.....Appellants.

Versus

Ram Sahay.

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH
HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

**Present:- Mr. Amarjit Singh Virk, Advocate for the Appellants
(in all cases).**

JASWANT SINGH, J.(ORAL)

1. This common order shall dispose of the aforesaid 17 appeals filed against the common order dated 27.03.2019 passed by learned Single Judge in the contempt proceedings initiated by 17 Workmen by filing their individual contempt petitions.

The learned Single Judge/Contempt Court held that the Authorities concerned of the Kurukshetra University were wilfully disobeying the orders passed in favour of the Workmen having attained finality upto the Hon'ble Supreme Court, whereby they were *inter alia* entitled to be considered for regularization of their services on Class-IV

by the University Authorities was held untenable and effort contemptuous, accordingly the officials concerned have been directed to appear in person on 20.05.2019 to show cause as to why the order of punishment be not passed.

Hence the present set of appeals by the Vice Chancellor and former Registrar of Kurukshetra University.

2. During the course of hearing on 06.05.2019 following order was passed:-

“ After hearing learned Counsel for the appellants, it is evident that the services of the eligible and suitable employees were to be regularized w.e.f. 01.07.2014 in terms of Regularization Policy of 2014. The claim of the respondents in the light of the decision dated 16.10.2015 of learned Single Judge of this Court was to be considered in terms of the aforesaid Policy and the conditions therein. It is not in dispute that the order dated 16.10.2015 between the parties, has become final upto the Hon'ble Supreme Court. It is also conceded that there was absolutely no legal impediment for deciding the claim of the respondents in terms of order dated 16.10.2015, till 02.09.2016, assuming the best case in favour of the University, although we have our reservations qua that premise as there was already a direction in favour of the respondent passed by this Court.

At this stage, counsel for the petitioners prays for time to seek instructions regarding reconsideration of the issue.

List on 13.05.2019.

Photocopy of this order be placed on the files of connected cases. ”

3. At the time of resumed hearing today, counsel for the appellant has placed on record the order dated 10.05.2019 passed by the Registrar, Kurukshetra University, Kurukshetra whereby the services of the said 17 Workmen have been regularized w.e.f. 1.7.2014 on various Class-IV posts

in terms of Regularization Policy 2014.

4. Learned Counsel for the appellants submits that in view of the aforesaid order dated 10.05.2019 passed granting the necessary relief, *ex-facie* the alleged contempt stands purged, therefore, nothing more would remain for adjudication in the present appeals, however, restricts his prayer for granting exemption from personal appearance on 20th May, 2019 of the officials concerned in terms of the directions dated 27.03.2019 passed by the learned Contempt Court for facing punishment.

In view of the subsequent developments i.e. passing of the order dated 10.05.2019 by the Registrar, Kurukshetra University, Kurukshetra, the restricted prayer being reasonable is thus accepted.

5. Accordingly, all the aforesaid appeals are **disposed of as infructuous**. The directions contained in the impugned order dated 27.03.2019 are modified to the extent that at this stage, the contempt appears to have been purged and no further proceedings for punishment are liable to be proceeded with. However, the learned Contempt Court would be at liberty to examine the implications of the aforesaid order dated 10.05.2019 in the light of the previous orders passed in favour of the Workmen to examine the complete purging of the alleged contempt, if any. The appearance of the officials concerned in person before the Contempt Court is exempted till fresh orders which may be passed.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

May 13, 2019
Vinay

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No