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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COC-2119-2019

Date of decision: 27.09.2019

SURESH KUMAR

.. PETITIONER

Versus

SATRUJEET KAPOOR AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Naveen Daryal, Advocate
for the petitioner.

Mr. Ashish Yadav, Advocate
for the respondents.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 10.01.2019 passed by this Court in CWP No. 276 of 2019. The writ petition was disposed of without expressing any opinion on the merits of the case and by directing the respondents to decide the legal notice dated 27.05.2018 by passing a speaking order. It was further directed that in case, the petitioner is found entitled to monetary benefits, the same shall also be released in a time bound manner.

The grievance raised in contempt petition was that a letter dated 25.03.2019, requesting the petitioner to deposit Rs. 34,231/- in the Nigam account was issued, so that works charge service rendered by him could be

counted for pensionary benefits, nothing was done thereafter.

Pursuant to notice of motion, reply by way of affidavit of Sh.Gagan Pandey, Executive Engineer, OP. Division, UHBVNL, Assandh, filed in Court, is taken on record. A copy of the same is handed over to learned counsel for the petitioner. With the reply, order dated 30.08.2019 is annexed which has been passed in supersession of office order No. 204 dated 19.03.2019 and order No.217 dated 26.04.2019. The claim of the petitioner has been rejected on the ground that no option has been exercised on or before 30.06.2014.

Learned counsel for the petitioner, inter alia, submits that order dated 30.08.2019 is illegal as there is no valid reason for superseding the earlier office order.

The said contention cannot gone in the present contempt petition as the directions were only to pass a speaking order on the representation.

In view of the above, the contempt petition is dismissed. However, the petitioner would be at liberty to avail remedies in accordance with law against the order dated 30.08.2019.

Rule issued against the respondents is discharged.

27th September, 2019
shabha

(AVNEESH JHINGAN)
JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*