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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

COC-2413-2019

DATE OF DECISION: 23.09.2019

VIVEK SHARMA

.. PETITIONER

VERSUS

JAGAT RAM AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

**Present:** Mr. Arjun Partap Atma Ram, Advocate  
for the petitioner.

Mr.Amit Jhanji, Advocate  
for respondent No. 1.

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**AVNEESH JHINGAN, J. (Oral)**

The petitioner challenged order dated 31.05.2018 passed by the Central Administrative Tribunal, Chandigarh by filing a writ petition. The grievance raised was that the disciplinary authority had not considered his reply and order of termination was passed in violation of principles of natural justice. Orders dated 26.05.2018 and 31.05.2018 were set aside with liberty to the respondents to proceed with the matter in accordance with law. It was brought to the notice of writ Court that post of store keepers are lying vacant. Respondents were directed to consider the case of the petitioner in accordance with law against the existing vacancies.

Pursuant to notice of motion, a reply dated 17.09.2019 annexing order dated 12.07.2019, filed today, is taken on record. A copy of the reply is handed over to learned counsel for the petitioner.

Learned counsel for the respondents states that the claim of the petitioner for reinstatement has been rejected. Further it has been held that

there are no vacant posts for General Category to which the petitioner belongs.

Learned counsel for the petitioner submits that the order of termination of service of petitioner was set aside, in the interregnum he was not allowed to rejoin the duty. He claims salary for the said period. He further states that as per information received under Right to Information Act, there are existing vacancies for the post of Store Keeper for General Category also.

The said aspect cannot be gone into the contempt proceedings as there is compliance of the directions issued by this Court.

The contempt petition is disposed of. However, the petitioner would be at liberty to avail remedies in accordance with law for redressal of his grievances, left or raised.

Rule issued against the respondents is discharged.

**23<sup>rd</sup> September, 2019**  
*shabha*

**(AVNEESH JHINGAN)**  
**JUDGE**

*Whether speaking/reasoned* : *Yes/No*

*Whether reportable* : *Yes/No*