

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 2527 of 2019
Date of decision: 19.7.2019

Rupinder Kaur

.. Petitioner

v.

Er. Baldev Singh Saran and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Jimmy Singla, Advocate for the petitioner.

...

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 2.4.2019 passed by this Court in CWP No. 24132 of 2016. The operative part of the said order is reproduced below:

“In view of the above discussion, this writ petition is allowed with a direction to respondent No. 2 to offer appointment to the petitioner on a suitable post in Group 'C' or 'D' in terms of the Policy/Instructions (Annexure P-2) and in the event petitioner is found not eligible under the said policy then in alternative to grant her solatium in terms of the Policy/Instructions (Annexure P-7). Needful be done within a period of three months from the date of receipt of a certified copy of this order.”

Vide office order dated 4.6.2019 the respondents have rejected

the claim of the petitioner for appointment on compassionate ground

holding that her case was not covered under the policy/instructions, however, solatium was awarded.

Learned counsel for the petitioner states that the order of this court has not been complied with, as no appointment has been offered to the petitioner.

The contention raised is not well founded. From the perusal of order dated 4.6.2019 (Annexure P-2), it is forthcoming that specific finding has been recorded that the case of the petitioner was not covered under the policy/instructions however solatium is being awarded.

Learned counsel for the petitioner is not in a position to state that the said rejection has been challenged by the petitioner.

He argues that the instructions have not been considered in proper perspective. The said aspect cannot be gone into in contempt proceedings as the direction of this court was only to offer the appointment in terms of the policy/instructions and in event the petitioner is not found eligible, the alternative direction was to grant her solatium. The directions have been complied with in letter and spirit. There is no cause of action to initiate contempt proceedings.

The contempt petition is dismissed.

Rule issued is discharged.

(AVNEESH JHINGAN)
JUDGE

19.7.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No