

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COCP No. 3559 of 2019

Date of Decision: 22.10.2019

Om Pal

.....Petitioner

Versus

Navraj Sandhu

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Ms. Sangita Dhanda, Advocate
for the petitioner.

AVNEESH JHINGAN, J.(oral)

The petitioner filed a writ petition challenging the candidature of private respondents for appearing in examination for post of Naib Tehsildar. In the writ petition on 19.12.2018 interim directions were issued restraining the respondents from promoting the respondent No.5 (in the writ petition). An application was moved by respondent No.5 for recalling of the interim direction. The interim order was modified on 25.7.2019. The relevant directions are quoted below:

"Keeping in view the above fact, the order dated 19.12.2018 is modified to the extent that official respondents can consider with case of respondent No.5 for promotion, in accordance with law."

As per the modified order, the respondents were at liberty to consider the case of the respondent No.5 for promotion in accordance with law. Thereafter, respondent No.5 was promoted on 11.9.2019.

The grievance raised in the contempt petition is that two charge sheet are pending against respondent No.5, yet he has been wrongly promoted.

The issue raised cannot be gone into in the contempt proceedings. The interim directions were modified on 25.7.2019, the respondents could consider the case of respondent No.5. In case there is grievance against the promotion of respondent No.5, it gives a fresh cause of action. No case is made out for contempt.

Dismissed.

22.10.2019

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned	Yes
Whether Reportable:	No