

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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COC-1075-2015

Date of Decision: 18.11.2019

Ranjit Singh

... Petitioner

vs.

Satish Chandra and Ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present : Mr. K.S.Dadwal, Advocate, for the petitioner.

Ms. Deepali Puri, Additional Advocate General, Punjab.

AVNEESH JHINGAN, J.(ORAL)

Petitioner filed a writ for direction to the respondents to consider and promote him for the post of District Treasurer from the due date. The petition was disposed of on 19.11.2014 with a direction to the respondents to consider the claim of the petitioner for promotion and other benefits in the light of judgment rendered in case titled **Saroj Rani vs. State of Punjab** reported as **1999 (6) SCC 637.**

Sections 10 and 12 of Contempt of Courts Act, 1971 was invoked pleading that needful has not been done by the respondents.

In the contempt proceedings, reply dated 25.02.2016 by way of affidavit of Shri D.P.Reddy, Additional Chief Secretary, Government of Punjab, Department of Finance was filed annexing order dated 23.02.2016. The claim of the petitioner for promotion was rejected on the ground that he failed to pass Assistant Grade Examination in the stipulated period.

Learned counsel for the petitioner submits that the claim of the petitioner has been wrongly rejected. He challenges the factual finding that the petitioner had failed to pass Assistant Grade Examination in the period

prescribed. He relies upon the written statement filed by the respondents in the writ petition. He further contends that in case, the factual error is corrected, his case would be covered by Saroj Rani's case (*supra*).

Learned counsel for the respondents has no serious objection in re-considering the matter, if there is a factual dispute.

In view of the controversy noted above, the contempt petition is disposed of with liberty to the petitioner to file a representation raising his grievance including the fact of passing the examination. The representation be filed within two weeks. In case, the representation is made, the respondents shall consider the same in accordance with law and the same would be decided within 8 weeks thereafter, after providing an opportunity of hearing.

In case, the petitioner is aggrieved of the order passed by the respondents, he shall be at liberty to avail his remedy in accordance with law.

Contempt petition is disposed of in above terms.

(AVNEESH JHINGAN)
JUDGE

18.11.2019
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No