

COCN No. 4820 of 2018
DECIDED ON: JULY 17, 2019

ANIL KUMAR

.....PETITIONER

VERSUS

NAVRAJ SANDHU AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Manjeet Singh, Advocate
for the petitionerMr. Shubham Chaudhary, Advocate for
Mr. Padam Kant Dwivedi, Advocate
for respondent No.2.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed alleging wilful disobedience of the order dated 30.11.2017 passed by this Court in CWP No. 6162 of 2015. The said writ petition was allowed in view of orders passed in CWP No. 22863 of 2014, titled as **“Parveen Kumar Vs. State of Haryana and others”**. The operational part of the order is reproduced below:-

“That being so, though prima-facie it would be seem to be discrimination against the petitioners in CWP no.6162 of 2015 and CWP no.8300 of 2015, however, they having been repatriated in the same scale that they were drawing pay scale on the deputationist posts, and they not having been declared surplus by the bank for the past 3 years at least, it is considered appropriate that all these petitions be disposed of with a direction that the Government take a decision on absorption of the petitioners in all these cases and pass an order on that within a period of 3 months from the date of receipt of a certified copy of this order.

If the Government decides not to absorb the petitioners/any of them, and subsequently they are proposed to be declared surplus in the respondent bank, or as is contended by learned counsel for the petitioners, the bank itself is under process of closure, the petitioners would have a right to approach this Court again and simultaneously approach the Government for absorption at that stage in other Departments / Corporations / organisation of the Government.

Till the time the decision is taken in the case of those petitioners who have a stay order in their favour, they be not repatriated.”

Learned counsel for respondent No.2 has filed reply in court today, same is taken on record. Copy thereof, has been supplied to the counsel for the petitioner.

In view of afore-said reply, learned counsel for the petitioner submits that no cause of action survives in the present contempt petition.

Disposed of as infructuous.

Rule issued against the respondents is discharged.

The petitioner would be at liberty to avail remedies in accordance with law in case being aggrieved of the order passed by the respondent(s).

JULY 17, 2019
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(AVNEESH JHINGAN)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>