

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP No. 3922 of 2019

Date of decision: 25.11.2019

Dharmender Kumar and another

.. Petitioners

v.

Ashok Sehra and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. S. K. Kaushik, Advocate for the petitioners.

...

AVNEESH JHINGAN, J. (Oral)

The contempt petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 is filed pleading violation by the respondents to maintain status quo qua the seniority list.

The brief facts are that the petitioners filed writ petition challenging the seniority list dated 27.4.2017. While issuing notice of motion on 1.11.2017, following interim directions were issued by this Court:

“In the meantime, respondents shall maintain status quo, qua seniority list.”

The present contempt petition has been filed pleading that by passing orders dated 7.8.2019 and 13.9.2019, giving step up of pay to certain employees at par with the juniors, status quo qua seniority list is

violated. It is argued that by giving step up, the petitioners have been made

juniors.

Learned counsel for the petitioners is not able to substantiate the serial numbers at which the petitioners were at the time of granting status quo and that the same is disturbed.

The argument of learned counsel for the petitioners that by passing the stepping up orders dated 7.8.2019 and 13.9.2019, the petitioners have been made juniors to the private respondents (in the writ petition) is not well-founded. By merely stepping up of pay the seniority already existing has not been tinkered with.

The petition is filed on mere apprehension without any basis. The onus casted upon the petitioners with regard to violation of the order is not discharged. No case is made out for initiating contempt proceedings.

The contempt petition is dismissed.

(AVNEESH JHINGAN)
JUDGE

25.11.2019
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No