

COCN No. 3760 of 2018 (O&M)
DECIDED ON: JULY 04, 2019

RAMESH KUMAR AND ANR

.....PETITIONERS

VERSUS

SARABJIT SINGH

.....RESPONDENT

AND

2.

COCN No. 2206 of 2019

HARMEET SINGH

.....PETITIONER

VERSUS

SARAVJIT SINGH AND ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Raman Sharma, Advocate
for the petitioners in COCP No. 3760 of 2018.

Mr. Harmanpreet Sehgal, Advocate
for the petitioner in COCP No. 2206 of 2019.

Mr. Kanisth Ganeriwala, AAG, Punjab.

AVNEESH JHINGAN, J (ORAL)

Vide this common order, this Court shall dispose of both the above
petitions as in these petitions the cause of action is same.

For convenience, the facts are taken from COCP No. 3760 of 2018.

The present contempt petition has been filed pleading that the order dated 21.08.2018 passed by this Court in CWP No. 3364 of 2014 has not been complied with. The operational part of the order is reproduced below:-

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to respondent No.1-Principal Secretary, Irrigation Department, Punjab Mini Secretariat, Sector 9, Chandigarh, to consider and decide the case of the petitioner in the light of the judicial pronouncements and letter Mark 'A' referred to hereinabove and take a final view within six weeks from the date of receipt of a certified copy of the order. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of four weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible to them or made out, in that case, a speaking order be passed in the matter, after affording opportunity of personal hearing to the petitioners and the petitioners shall also have the liberty to revive the instant petition or file afresh."

Respondents have filed the reply. The relevant paras of the reply is reproduced below:

4. *That both the petitioner Sh. Ramesh Kumar and Sh. Anuj Guglani were become eligible for the promotion as Sub Divisional Officer before 17.04.2013 and were promoted as Sub Divisional Officer on dated 11.12.2014 and 30.06.2017 respectively.*
5. *According to the position explained above Sh. Ramesh Kumar and Sh. Anuj Guglani who were promoted as Sub Divisional Officers from dated 11.12.2014 and 30.06.2017 respectively, are promoted on notional basis as Sub Divisional*

Officers from dated 17.04.2013.”

In view of the order passed by the authorities, no further action is required to be taken in the afore-said contempt petitions.

Disposed of, as infructuous.

However, it is clarified in case the petitioners still feels dissatisfied with the order passed by the authorities they would be at liberty to avail remedies available in accordance with law.

JULY 04, 2019
sham

(AVNEESH JHINGAN)
JUDGE

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