

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

COCP No.614 of 2019
Date of Decision:21.01.2020

Saroj Bala

.....Petitioner

Vs.

P.K.Dass and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Y.P.Malik, Advocate
for the petitioner.

Mr.D.K.Mittal, DAG, Haryana.

AMOL RATTAN SINGH, J. (Oral)

A reply to the contempt petition has been filed by the learned State counsel, a copy of which is already stated to have been given to learned counsel for the petitioner.

It has been stated in that reply that after examination of the matter, including by seeking the opinion of the Advocate General, Haryana, which was received in June, 2019, it was found that the petitioner is not entitled to regularisation of her services.

The direction by this court in CWP No.29419 of 2017, vide an order dated 21.12.2017 (copy of which is Annexure P-1), was to the effect that the legal notice issued by the petitioner be decided by passing a speaking order taking into account the judgments cited in that petition, with the said order to be passed within a period of 4 months from the date of receipt of a certified copy of that order.

Mr. Malik submits that as a matter of fact in terms of the judgments cited in that petition, the petitioner was entitled for regularisation.

Without making any comment on that contention, in view of the fact that the order passed in that petition has been complied with by an order passed on 23.07.2019, this petition is disposed of as having been rendered infructuous, with of course, the petitioner always at liberty to challenge the order passed by the respondents on 23.07.2019, on the merits thereof, which would be considered by the appropriate bench if any such challenge is made.

Though Mr.Malik has submitted that since the order was not passed within six months but after one year and three months of the time granted to the respondents, costs should be paid to the petitioner, however, in view of the fact that it has been stated in the affidavit filed by Mr.Maheshwar Sharma, Director, Elementary Education, Haryana, that the opinion received from the Advocate General, Haryana, was itself in June, 2019, I see no reason to burden the respondents with costs for that delay.

January 21, 2020

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO