

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

**COCP-1300-2020
Decided on : 14.07.2020**

Rajinder Parkash Garg and others

... Petitioner(s)

Versus

Rajeev Arora, IAS, Additional Chief Secretary,
Department of PWD (B&R), Mini Haryana Civil Secretariat,
Sector 17, Chandigarh and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

PRESENT: Mr. Namit Kumar, Advocate
for the petitioner(s).

MANJARI NEHRU KAUL, J. (Oral)

Due to the outbreak of pandemic COVID-19, the instant case is being taken up for hearing through video conferencing.

The instant contempt petition has been filed under Sections 10 and 12 of the Contempt of Courts Act, 1971, read with Article 215 of the Constitution of India, for intentionally and willfully disobeying the orders dated 11.03.2019, passed by this Court in CWP No. 15887 of 2011 (Annexure P-1).

Learned counsel for the petitioners alleges that there has been deliberate and wilful disobedience and non-compliance of the orders dated 11th March, 2019, passed by this Court in CWP No. 156887 of 2011 (Annexure P-1), wherein, directions had been issued that the petitioners and other similarly situated employees who fell within the top 20% of the respective cadres would become entitled to the running pay scale of ₹ 13500-17250 w.e.f. January 01, 1996. It was also directed that the rate of interest on arrears due would be applicable as per the direction given in *State of Haryana and Others v. S.P. Sood* i.e. at the rate of 8% per annum till payment. Further, the monetary entitlements were directed to be computed and paid to the petitioners within five months from the date of order and

Registrar General of this Court for perusal. Besides this, the petitioners were also held entitled to all other consequential benefits as may arise out of the judgment covering the case.

Learned counsel for the petitioner submits that in spite of the directions issued by this Court in the aforementioned judgment and the case of the petitioners being squarely covered, the requisite benefits have not been extended to the petitioners, which is violative of the litigation policy framed by the State Government. He further submits that repeated representations/legal notices [Annexure P-5 (Colly)] were made to the respondents, however, the same failed to yield any result.

Notice of motion.

On the asking of the Court, Ms. Upasana Dhawan, Asstt. AG, Haryana, who has joined the proceedings through video conferencing, accepts notice on behalf of the respondents. Advance copy of the petition has already been supplied to her.

Learned State counsel on instructions from Mr. Kuldeep Kharb, DDA of the respondent-Department, submits that all the benefits along with interest on arrears at the rate of 8% per annum, which are due to the petitioners as per the directions of this Court in CWP No. 15887 of 2011, are in the process of being computed and would be released within a period of six weeks.

Learned counsel for the petitioners submits that in the wake of this statement made by the learned State counsel in Court today, he would not press the instant contempt petition and the same may be disposed off as such.

The instant contempt petition stands disposed off as having been not pressed. Needless to say, the respondents shall be bound by the statement given by the learned State counsel in the Court today. It is made clear that in case there

is violation of the statement made by the respondents and the same is brought to the notice of this Court, a strict view would be taken by this Court against the respondents.

(MANJARI NEHRU KAUL)
JUDGE

July 14, 2020

J.Ram

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