

COCP No.1759 of 2020

Date of Decision : 27.11.2020

Mohan Sharma and others

...Petitioners

Versus

Anurag Rastogi and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Rajesh Malik, Advocate for the petitioners.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, is to punish the respondents for willful and deliberate disobedience of order (Annexure P-2) dated 02.04.2019 in CWP No.3388 of 2018.

3. Learned counsel for the petitioners contends that vide order dated 02.04.2019, CWP No.3388 of 2018 was disposed of by directing the respondents to consider the case of the petitioners on merits with regard to grant of *ad hoc* relief, as prayed for in the writ petition with effect from 01.04.1979, as done in the case of similarly situated personnel and appropriate orders be passed within 03 months from the date of receipt of certified copy of the order but despite lapse of sufficient period of time,

proceeded against under the Contempt of Courts Act, 1971 for violation of order dated 02.04.2019 in CWP No.3388 of 2018.

4. Learned DAG Haryana states that reply has already been filed along with orders (Annexure R-1) dated 16.09.2020, rejecting the claim of the petitioners with regard to grant of *ad hoc* relief.

5. Learned counsel for the petitioners after perusal of the reply states that he does not press the contempt petition and the same may be disposed of, as such, with liberty to the petitioners to challenge order (Annexure R-1) dated 16.09.2020, by way of appropriate proceeding, in accordance with law.

6. The same is not opposed by learned State Counsel.

7. In view of the statement of learned counsel for the parties, the contempt petition is ***disposed of*** as not pressed with the liberty, as prayed for.

(B.S. Walia)
Judge

November 27, 2020

'Rajneesh-Amit'

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