

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

COCP-1829-2020 (O&M)  
Date of decision : 10.09.2020

Basti Ram Yadav and others

...Petitioners

Versus

Ankur Gupta and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL**

Present: Mr. Sameer Sachdeva, Advocate for the petitioners.

Mr. Hitesh Pandit, Addl. A.G. Haryana.

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**ANIL KSHETARPAL, J. (ORAL)**

The petitioners have filed this petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 for initiating the proceedings against the respondents.

Learned counsel for the petitioners contends that the writ petition filed by the petitioners was disposed of on 25.06.2020 with the following substantive order:-

*“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.*

*As per pleadings on record, the five petitioners herein had served on the post of Associate Professor/Principal etc. under the Higher Education Department, State of Haryana and are now retired.*

*A Writ of Mandamus is sought in terms of filing the*

*instant writ petition for grant of benefit of ad hoc service rendered by the petitioners towards seniority along with all consequential/monetary benefits.*

*Instant petition had come up for hearing on 23.6.2020 and at that point of time Mr. Gaurav Jindal learned Addl. A.G., Haryana had been called upon to complete instructions with regard to the assertions made by the counsel that the relief sought in the instant petition has already been granted to identically situated employees and that too upon the issue having been settled up to the Hon'ble Supreme Court.*

*During the course of resumed hearing today learned State counsel has conceded that the relief sought for in the instant petition has already been released in favour of identically situated employees. He, however, expresses his helplessness on account of the current lock down/Covid-2019 situation.*

*In view of the above, instant writ petition is disposed of with a direction to respondent no.1/competent authority to look into the claim of the petitioners and to take a final decision thereupon within a period of two months from the date of receipt of a certified copy of this order.*

*In case the petitioners are held entitled to the relief sought, the necessary and consequential monetary benefits would be made over to the petitioners without any further delay. However, in the eventuality of the petitioners' claim not finding favour, respondent no.1 would then pass a detailed reasoned order for taking such view and would convey the same to the petitioners.*

*Disposed of."*

Learned counsel for the petitioners contends that the order has not been complied with. He further submits that the juniors to the petitioners

have also been promoted vide order dated 02.07.2020 (Annexure P-3).

Mr. Hitesh Pandit, Addl. A.G. Haryana, has appeared for the respondents and submits that the case of the petitioners is under their consideration and the same shall be decided within two weeks positively and a copy of the order would be forwarded to the petitioners.

Keeping in view the aforesaid facts, the present petition is disposed of while granting one more opportunity to the respondents to take a final decision as directed vide order dated 25.06.2020. However, if no order is passed within the aforesaid time, the petitioners shall be at liberty to move an application for restoration of the case.

This is the last opportunity granted to the respondents to comply with the order, failing which, the respondents shall be liable to be burdened with a tentative costs of Rs.50,000/-.

In view of the above, the present petition is disposed of.

All the pending miscellaneous applications, if any, are disposed of, in view of the aforesaid order.

**10.09.2020**

*Pawan*

**(ANIL KSHETARPAL)  
JUDGE**

**Whether speaking/reasoned:-                      Yes/No**

**Whether reportable:-                                  Yes/No**