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

(Through Video Conferencing)

COCF No.2161 of 2020 (O&M)
Date of Decision: 16.10.2020

Subedar Dina Nath

.....Petitioner

Versus

Ajai Kumar and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Mr. Rajesh Sehgal, Advocate,
for the petitioner.

Mr. Satya Pal Jain, Additional Solicitor General of India with
Mr. Rohit Verma, Advocate,
Central Government Counsel,
for the respondents.

NIRMALJIT KAUR, J. (ORAL)

The present contempt petition has been filed for violating the order and not complying with the order dated 25.06.2020 passed in CWP No.7562 of 2020.

It is contended that although vide order dated 25.06.2020, the interim order dated 05.06.2020 giving direction that the petitioner shall not be relieved from service was still continuing, the respondents have issued a list (Annexure P-5), which is of the Honorary Captains (Active List) wherein the name of the petitioner is missing. Therefore, the petitioner is being treated as having been relieved from service. Instead, the petitioner being shown in the list (Annexure P-4) of those having retired on 15.08.2020.

Mr. Satya Pal Jain, Additional Solicitor General of India, has pointed out that the name of the petitioner is not mentioned in the list (Annexure P-5) but is mentioned in list (Annexure P-4) is probably due to error and communication gap because at an earlier point of time, the petitioner was ordered to retire under the LMC category on 31.05.2020. The fact that the name of the petitioner has erroneously not been mentioned in the list (Anneuxre P-5) is evident from the fact that the petitioner has been paid his salary right up till 30.09.2020 and is still being considered in service till as such time the case/stay application before the AFT is decided.

In view of the said statement, this Court finds no reason to continue with the present contempt petition. The same is disposed of in terms of the above said statement made by Mr. Satya Pal Jain, Additional Solicitor General of India.

(NIRMALJIT KAUR)
JUDGE

16.10.2020
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No