

COCF No.2300 of 2020

Date of Decision : 08.01.2021

Anil Kumar Gupta and others

...Petitioners

Versus

Mahavir Singh

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia**Present :** Mr. Sandeep Dhull, Advocate for
Mr. Samrat Malik, Advocate
for the petitioners.

Mr. Vivek Chauhan, Addl. A.G., 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. Learned counsel contends that vide order dated 06.02.2020 CWP No.3239 of 2020 was disposed of by directing the Principal Secretary to Government of Haryana, Education Department, Haryana, to treat the writ petition as a representation of the petitioners and to consider their case for promotion as per seniority list and pass appropriate orders within 06 months from the date of receipt of certified copy of the order but despite lapse of the stipulated period of time, needful has not been done, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful defiance of order dated 06.02.2020 in CWP No.3239 of 2020.

3. Issue notice to the respondent to show cause as to why

proceedings under the Contempt of Courts Act, 1971 be not initiated against him for intentional and willful defiance of order dated 06.02.2020 in CWP No.3239 of 2020.

4. Mr. Vivek Chauhan, learned Addl. A.G., Haryana, accepts notice on behalf of the respondent and on instructions from the respondent states that the Addl. Chief Secretary, School Education Department has wrongly been impleaded as respondent in the Contempt Petition for the directions in the writ petition were to the Principal Secretary to Government of Haryana, School Education Department, Haryana.

5. Learned State Counsel further on instructions from the Director, Secondary Education Department states that the claim of the petitioners for promotion as per seniority list would be decided by the Director, Secondary Education within 04 weeks from today.

6. The same satisfies learned counsel for the petitioners, who states that in the circumstances, he does not press the contempt petition and the same may be disposed of, as such, while directing the Director Secondary Education, Department of Haryana, to consider and pass orders on the claim of the petitioners for promotion as per seniority list within 04 weeks from today as per assurance held out by the Director Secondary Education, Department of Haryana, through the learned State Counsel.

7. Accordingly, in the light of the position as noted above and in view of the statement of learned counsel for the petitioners, the contempt petition is ***disposed of*** as not pressed, at this stage, while directing the Director, Secondary Education Department, Haryana, to

terms of order dated 06.02.2020 in CWP No.3239 of 2020 within 04 weeks from today and to convey the decision on the same to the petitioners within 10 days, thereafter.

8. Needless to mention, in case, the needful is not been done, within the stipulated period of time, the petitioners would be at liberty to take out appropriate proceedings, for redress of their grievance in accordance with law.

(B.S. Walia)
Judge

January 08, 2021
'Rajneesh'

Whether speaking/ reasoned	:	Yes/No
Whether reportable	:	Yes/No