

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

COCP No.2193 of 2021

Date of Decision: 29.11.2021

Gulshan Kumar

.....Petitioner

Versus

Smt Anindita Mitra & Ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Sanjeev Sharma, Advocate for the petitioner.

Mr. Aditya Sharda, AAG, Punjab.

HARINDER SINGH SIDHU, J

Petitioner had filed CWP No.19262 of 2016, praying for quashing of orders dated 09.06.2016 and 23.08.2016 vide which he was denied the benefit of first extension in service after attaining the age of superannuation on turning 58 years. Writ petition was disposed of vide order dated 31.01.2019. As during the pendency of the petition, period of extension of two years, which the petitioner had been claiming, had lapsed, this Court opined that the benefit of extension of service could not be granted to him. However, orders dated 09.06.2016 and 23.08.2016 were quashed with the liberty reserved to the petitioner to seek appropriate remedy regarding denial of the benefit of extension of service on attaining the age of superannuation i.e 58 years. The right of the petitioner to seek compensation for wrongful denial of his right by the respondents was left open.

Learned counsel for the petitioner submits that the petitioner

had thereafter submitted a representation to the respondents but the claim of

the petitioner has been rejected vide order dated 27.09.2019 (P.2) by relying on orders dated 09.06.2016 and 23.08.2016.

The petitioner has filed the present contempt petition alleging that the denial of the benefit to the petitioner by placing reliance on orders dated 09.06.2016 and 23.08.2016, which had already been quashed in CWP No.19262 of 2016, constitute contempt of Court.

It is not possible to accept the contention of learned counsel for the petitioner. The order is a detailed one and not based only on the earlier orders dated 09.06.2016 and 23.08.2016.

In view thereof, there is no ground to entertain instant petition and the same is dismissed. However, it would be open to the petitioner to assail the order in accordance with law.

November 29, 2021
manoj

(Harinder Singh Sidhu)
Judge

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