

COCp-113-2020

Date of Decision :06.05.2022

Baljeet Singh

...Petitioner

Versus

B. Srinivasan and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. K.S. Sidhu, Advocate for the petitioner.
Ms. Deepali Puri, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating action against the respondents for intentional and willful defiance of order, Annexure P/1 dated 16.10.2019 in CWP No.12382 of 2017 in case titled as Sukhmander Singh vs. State of Punjab and Ors.

[2] A perusal of order, Annexure P/1 reveals that vide order dated 16.10.2019, order, Annexure P/7 dated 10.05.2019 was re-called and interim order vacated.

[3] Notice has yet not been issued in the instant case. However, reply on behalf of respondent No.1 has already been filed.

[4] Learned counsel for the petitioner contends that order, Annexure P/7 dated 10.05.2019 was passed in CWP No.12382 of 2017 in favour of respondent No.2 herein staying his reversion from the post of Senior Assistant to Junior Assistant but the same was vacated vide order dated 16.10.2019 in CWP No.12382 of 2017 and the connected writ (i.e. CWP No.21786 of 2018). Learned counsel further contends that despite vacation of order, Annexure P/7 dated 10.05.2019,

therefore, the instant petition was filed, but as per reply of respondent No.1, respondent No.2 had filed CWP No.10529 of 2019 titled as Sukhmander Singh vs. State of Punjab in which the following order was passed:-

“Status quo regarding service of the petitioner be maintained till the next date of hearing”

and that in view of the aforementioned order of status quo, respondent No.1 could not revert respondent No.2.

[5] Learned counsel for the petitioner states that the petitioner was not aware of the aforementioned order of status quo as the petitioner was not a party in CWP No.10529 of 2019, but in view of the aforementioned orders of status quo which are continuing in force till date, the petitioner does not press the instant petition but prays for liberty to move an application in CWP No.10529 of 2019 in accordance with law for being impleaded as party and for vacation of stay.

[6] The same is not opposed to by the learned Addl. A.G.

[7] In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against respondent No.1 under the Contempt of Courts Act, 1971 while granting liberty to the petitioner as prayed for.

06.05.2022
'Amit'

(B.S. Walia)
Judge

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