

COCp-888-2020

Date of Decision :21.09.2022

RAJESH KUMAR

...Petitioner

Versus

J. GANESAN, IAS

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Navneet Kaur, Advocate for
Mr. Ravinder Bangar, Advocate for the petitioner.

Mr. Jagbir Malik, Advocate for the respondent.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 17.12.2019 in CWP-36516 of 2019.

[2] A perusal of order Annexure P-1 reveals that while issuing notice of motion in CWP No.36516 of 2019, it was ordered that services of the petitioner would not be dispensed with by replacing him with another contractual/outsourced employee till the next date of hearing.

[3] On filing of the instant petition, the matter was taken up for hearing on 06.03.2020 and while adjourning the case to 21.04.2020, it was observed that there was no averment or even reference in the notice that the petitioner had been replaced with another contractual/outsourced employee, consequently, there was no violation of order dated 17.12.2019 calling for initiating contempt proceedings against the respondent in the petition whereupon learned counsel for the petitioner sought an adjournment to file better affidavit of the petitioner giving details of the

person, who had replaced him. On 26.08.2022, learned counsel for the petitioner had requested for an adjournment to comply with order dated 06.03.2020.

[4] No affidavit has been filed till date. Today, learned counsel appearing on behalf of the petitioner requests for permission to withdraw the instant petition.

[5] In view of the position noted above, no action under the Contempt of Courts Act, 1971 is called for against the respondent.

[6] Contempt petition is disposed of as such.

(B.S. Walia)
Judge

21.09.2022
'Amit'

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