

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

144

COC-1287-2022

Date of decision: 25.07.2022

NAVEEN

..Petitioner

Versus

P.K. AGGARWAL

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. R.K. Malik, Sr. Advocate
with Mr. Sachmeet Singh Randhawa, Advocate
for the petitioner.

Mr. Harsh Vardhan, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

Complaining wilful violation of order passed in CWP-10085-2019, decided on 09.04.2021, the present petition under Section 11 & 12 of the Contempt of Courts Act, 1971, have been filed. The operative part of the order dated 09.04.2021, is extracted as under:-

“Keeping in view the above, since even reply has not been filed though more than 2 years have passed, the present writ petition is disposed of, since a message has been received by Mr.Swaroop, on instructions from Mr.Dikansh Goel, Law Officer (HSSC) that the petitioner is entitled for the marks since there is no family member in Government service. Copy of the said communication has been received and taken on record.

Accordingly, the respondents shall take positive action in this regard. In case the petitioner is found entitled for appointment, he will be granted all the benefits which have been granted to the candidates who are similarly situated since for no fault of his, he has been deprived of the appointment. Necessary exercise be completed within a period of 4 weeks from the receipt of certified copy of this order.

Writ petition stands disposed of with the above-said direction.”

Sh. Harsh Vardhan, Assistant Advocate General, Haryana, has

filed reply along with the copy of the order which has been passed by the

respondent while appointing the petitioner from the date his colleagues were appointed. The learned counsel representing the petitioner submits that the petitioner has not been paid the salary though he has been appointed with all consequential benefits.

Once, a subsequent order has been passed by the respondent on 01.07.2022, while giving reasons, the petitioner, if so advised, may avail alternative remedy. The proceedings under the Contempt of Courts Act, 1971, can continue only if it is proved that there is deliberate disobedience of the directions of the Court.

No further order is required to be passed.

Hence, disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

July 25th, 2022

Ay

(ANIL KSHETARPAL)
JUDGE

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