

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

145

COCP-1417-2022

Date of decision : 21.07.2022

Dharambir and others

...Petitioners

Versus

Ajay Chopra (Administrator), Additional Deputy Commissioner and
another

....Respondents

CORAM : HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr.Vijay Pal, Advocate,
for the petitioner.

Mr.Jaspal Singh Pannu, AAG, Haryana.

ANIL KSHETARPAL, J. (ORAL)

Petitioners pray for initiation of proceedings under the Contempt of Court Act, 1971. They allege that the undertaking given before this Court by their counsel has been violated. The operative part of the order, where the aforesaid undertaking in which stand of the respondent-Management, has been noticed is extracted as under :-

“Learned senior counsel further submits that the apprehension of the petitioner(s) that they are being replaced with another set of employees on the same terms and conditions is without any basis and there is no intention of the respondent-Management to replace the petitioner(s) with another set of employees on the same terms and conditions and petitioner(s) will be allowed to continue in service as long as their services are needed keeping in view requirement to be assessed by the Management.”

The petitioners are alleged to have been relieved on 05.07.2022, while noting as under :-

“The following teachers working on

Temporary/Contractual Basis are hereby relieved w.e.f. 05.07.2022 (A.N.). As per the directions of Hon'ble High Court of Punjab & Haryana, your position will not be replaced by similarly situated contractual employees. You are desired to submit students' Attendance Register and No Dues Slip within three days i.e. by 08.07.2022 between 12.30 p.m. to 01.30 p.m. in the office of Deputy Superintendent to ensure the release of pending salary.”

Learned counsel representing the petitioners contends that the workload to continues to exist but the petitioners are being punished for filing the writ petition by relieving them from the said contractual position.

The jurisdiction of the Court while deciding as to whether the respondents have committed contempt or not is limited.

On a careful reading of the operative part which has been extracted above, it is evident that the management had undertaken not to replace the petitioners with another set of employees on the same terms and conditions. The requirement to continue the petitioners in service was to be assessed by the management.

In the present case, it is evident that the management has decided to dispense with their services without engaging any other employee on the same terms and conditions.

Hence, no ground to issue the contempt petition

Dismissed.

21.07.2022
anju

(ANIL KSHETARPAL)
JUDGE

Whether reasoned/speaking? Yes/No
Whether reportable? Yes/No