

COCp-2369-2019

Date of Decision :29.03.2022

Varinder and another

...Petitioners

Versus

Sanjeev Kaushol and Ors.

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Rajesh Goyal, Advocate for the petitioners.
Mr. Pawan Kumar Longia, DAG, Haryana.

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 05.09.2018 in CWP No.27092 of 2015.

[2] A perusal of order, Annexure P/1 dated 05.09.2018 reveals that CWP No. 27092 of 2015 was disposed of by directing the respondents to treat petitioner No.1 on par with Jiyaji Sharma and petitioner No.2 in parity with Vimal Chauhan and to give relief of regularization with effect from the date juniors in service were regularized within six weeks from the date of receipt of certified copy of the order.

[3] Learned DAG while referring to orders, Annexure R/1 and Annexure R/2 dated 28.08.2019 granting regularization to the petitioners in terms of order, Annexure P/1 dated 05.09.2018 in CWP No.27092 of 2015, states that in view of order, Annexure P/1 dated 05.09.2018 having been complied with, the contempt petition be disposed of as not calling for any action against the respondents under the Contempt of Courts Act,

[4] Learned counsel for the petitioners states that although orders, Annexures R/1 and R/2 dated 28.08.2019 have been passed granting regularization to the petitioners in terms of order, Annexure P/1 dated 05.09.2018 in CWP No.27092 of 2015, resultant financial benefits have been granted to the petitioners only for a period of 38 months prior to the institution of the writ petition, therefore, while he does not press the contempt petition, liberty be granted to challenge the action of the respondents in restricting the benefits of arrears to 38 months prior to the filing of the writ petition. The same is not opposed to by the learned DAG.

[5] In view of the position noted above as well as statement of learned counsel for the petitioners, no action is called for against the respondents under the Contempt of Courts Act, 1971.

[6] Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner as prayed for.

(B.S. Walia)
Judge

29.03.2022
'Amit'

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