

Mohinder Singh and others

...Petitioners

Versus

Mukesh Anand and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. S.K. Kanojia, Advocate for Mr. Barjesh Mittal, Advocate
for the petitioners.Mr. Anil Mehta, Sr. Standing counsel with Mr. Jagjot S. Lalli
and Ms. Suman Jain, Advocate for the respondents.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order Annexure P/1 dated 19.11.2018, in CWP-2841-2016.

2. A perusal of order Annexure P/1 reveals that CWP-2841-2016, was disposed of vide order dated 19.11.2018 by directing the Municipal Corporation, Chandigarh/Chandigarh Administration to take up the matter with the Govt. of India for creation of posts within six months and in case decision was not taken within the stipulated period of time as referred to above, the petitioners would be deemed to be regularized with all consequential benefits.

3. Learned Sr. Standing counsel appearing on behalf of the Municipal Corporation, Chandigarh/Chandigarh Administration on instructions from Sh. N.P.Sharma, Chief Engineer, Municipal Corporation, states that the posts in question were created and the petitioners regularized on Class-IV posts on 22.08.2022 w.e.f.

18.05.2019 and that proposal has been forwarded to the Chandigarh

Administration by the Municipal Corporation on 30.11.2022 for payment of consequential benefits to the serving as well as retired employees in terms of decision dated 19.11.2018 in CWP-2841-2016 and in case some more time is granted, benefits admissible would be released to the petitioners.

4. Learned counsel for the petitioner states that in the circumstances, he does not press the instant petition but prays for direction to the respondents to adhere to the assurance held out by them through learned Senior Standing Counsel U.T. Chandigarh/ Counsel for the Municipal Corporation.

5. In view of the position noted above as well as statement of learned counsel for the petitioners, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, while directing the respondents to adhere to the assurance held out by them through the learned Senior Standing Counsel U.T. Chandigarh/ Counsel for the Municipal Corporation and to release the consequential benefits to the petitioners within one month from today.

6. Needless to mention, the petitioners would be at liberty to take out appropriate proceedings in accordance with law to seek interest on account of delay in release of consequential benefits.

(B.S. Walia)
Judge

01.12.2022
rajesh

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