

[103-2]

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM No.3258-CII of 2020 in/and
COCp-2986-2019 (O&M)

Date of Decision :31.03.2022

Rajesh Kumar

...Petitioner

Versus

Ms. Isha Kamboj, Secretary. HSSC

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Rajat Mor, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

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B.S. Walia, J. (Oral)

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Prayer in the application is for revival of the contempt petition, disposed of vide order dated 18.11.2019 whereby directions had been issued to the respondent to comply with order dated 07.05.2019 in CWP No.12056 of 2019 within four weeks with liberty to the petitioner that in case directions given in the writ petition were not complied with, to apply for revival of the contempt petition.

Learned counsel for the applicant states that despite order having been passed on 18.11.2019 in the contempt petition, the same has not been complied with till today.

In view of the position noted above, the application is allowed and with the consent of learned counsel for the parties, the

contempt petition is revived and is taken up for hearing on board today itself.

Main Case

[1] Prayer in the petition under Sections 11 & 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for intentional and willful defiance of order, Annexure P/1 dated 07.05.2019 in CWP No.12056 of 2019 in case titled as Rajesh Kumar vs. Haryana Staff Selection Commission.

[2] A perusal of order, Annexure P/1 dated 07.05.2019 reveals that CWP No.12056 of 2019 was disposed of by directing the respondent to verify certificate dated 20.09.2018 on the basis of which the petitioner claimed to be orphan and thereafter consider awarding 5 marks to him under the socio economic criteria as also to revise the merit of the petitioner and consider him for appointment against the vacant post within two weeks from the date of receipt of certified copy of the order.

[3] Learned counsel for the petitioner contends that although the instant petition was filed on account of failure of the respondent to do the needful, yet now the respondent has recommended the name of the petitioner for appointment to the post of Constable, pursuant to which the petitioner has joined as Constable in the Haryana Police, therefore, in the circumstances, the petitioner does not press the instant petition.

[4] In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not

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calling for any action against the respondent under the Contempt of Courts
Act, 1971.

[5] Rule discharged.

31.03.2022 (B.S. Walia)
‘Amit’ Judge

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