

[105] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.3132 of 2019
Date of Decision :08.08.2022

Tejpal Singh son of Shri Paramjit Singh and others ...Petitioners

versus

Dr. Manjit Singh Nijjar, Registrar, Punjabi University,
Patiala.Respondent

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

Present : Mr. Mukesh Arora, Advocate
for the petitioners.

Ms. Shazia K. Singh, Advocate for
Mr. Ajaivir Singh, Advocate
for the respondent.

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 19.03.2019, in CWP No.7547 of 2019 in case titled as '**Tejpal Singh and others versus Punjabi University, Patiala.**'

[2] A perusal of order (Annexure P-1), reveals that CWP No.7547 of 2019, was disposed of by directing the respondent to examine the claim of the petitioners against the backdrop of legal notice dated 25.01.2019 and take a final decision thereon expeditiously and in any case within two months from the date of receipt of certified copy of the order.

[3] Learned counsel appearing on behalf of the respondent states that decision has been taken on the claim made in the legal notice dated 25.01.2019 vide speaking order (Annexure A-1) dated 22.05.2020.

Relevant extract of the same is reproduced as under:-

“ The Committee’s recommendations after approval of Vice Chancellor on 22.05.2020 state that petitioners Tejpal Singh and Others of COCP No.3132/2019 in CWP No.7547 of 2019 Tejpal Singh and Others, be given financial benefits of step up pay of General Category employee at par with reserve category employee. These financial benefits shall be given as per instructions of the Punjab Government vide its letter No.6/17/2016-1 VP 2/1593569/1 dated 10.10.2019 after recast of the seniority. It is also clarified in the letter No.6/17/2016-1 VP 2/1593569/1 dated 10.10.2019 by citing the reference of another letter No.3/34/99-3 P.P.1/12565 dated 22.10.1999 in which it is specifically mentioned in clause No.2 that the salary of senior general category employees to be stepped up at par with junior reserve category employee on notional basis at every stage as per the catch-up principle automatically. The same clause further states that arrear is not to be paid at every stage. In addition to this, general category employee is entitled to arrear for maximum of 38 months during the entire service at first step up only. In the same letter, clause No.3 further clarifies that those employees who got promotion prior to issuance of instructions dated 22.10.1999, arrear for a maximum of 38 months will be paid from 22.10.1999 or from the date of anomaly, whichever is later.

It is further stated that the recast of seniority is subject to the out come of the CWP 13265/2015 (Sewa Singh and other’s vs. Punjabi University, Patiala) and CWP 26261/2015 (Sunita Kumari and other’s vs. Punjabi University, Patiala).

Ordered accordingly. ”

and that in pursuance thereto, a sum of Rs.2,42,855/- has

been released to petitioner No.1 and Rs.2,42,804/- to petitioner No.2. The same is taken on record. Copy thereof supplied to learned counsel for the petitioners, who on perusal thereof, states that in the circumstances, the petitioners do not wish to pursue the instant petition and may be permitted to withdraw the same with liberty to challenge order (Annexure A-1) dated 22.05.2020, as the same does not grant benefits to the petitioners as per their entitlements.

[4] 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 respondent under the Contempt of Courts Act, 1971, while granting liberty to the petitioners as prayed for.

[5] *Rule discharged.*

(B.S. Walia)
Judge

08.08.2022
'Rajneesh'

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