

COCp-2651-2021

Date of Decision :14.09.2022

KULBIR JAKHAR

...Petitioner

Versus

ALOK NIGAM AND ANOTHER

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. H.C. Arora, Advocate and
Ms. Suniana, Advocate for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of orders, Annexure P/1 dated 16.02.2021 in CWP No.28831 of 2017 in case titled as Kulbir Jakhar vs. State of Haryana and Ors.

[2] At the outset learned counsel for the petitioner states that arrears of salary have been released to the petitioner along with interest @ 6% per annum with effect from the date each months' salary became due, till the date of payment thereof, therefore, in the circumstances, he does not press the instant petition at this stage but states that claim of the petitioner for promotion from the post of Executive Engineer to Superintendent Engineer as per the stand in the affidavit filed by the respondents in the writ petition has not been decided, therefore, prays for liberty to the petitioner to file a representation before the respondents for grant of aforesaid relief.

[3] The same is opposed by learned DAG who states that no liberty as such is required from this Court as grievance of the petitioner in the contempt petition was only with regard to non-release of arrears of salary along with interest which has already been paid. Therefore, for any other grievance of the petitioner, it would always be open to the petitioner to take recourse to remedy in respect thereto in accordance with law.

[4] In view of the position noted above as well as the statement of learned counsel for the petitioner, the contempt petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971. Needless to mention it would always be open to the petitioner to seek redress of his grievance qua non grant of promotion by taking recourse to remedy available to him in respect thereto in accordance with law.

(B.S. Walia)
Judge

14.09.2022
'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>