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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**COCP-2274-2022 (O&M)
Date of Decision: 16.11.2022**

Sushil Kumar

.. Petitioner

Vs.

Ankur Gupta and others

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Dharamveer Phour, Advocate for the petitioner.

...

Manoj Bajaj, J. (Oral)

This contempt petition has been filed under Section 2-B read with Section 12 Contempt Courts Act for initiating contempt proceedings against the respondents for wilfully and deliberately disobeying the order dated 29.04.2022 (Annexure P-1) passed by this Court in CWP-19417-2017 titled as *Sushil Kumar Vs. State of Haryana and others*.

Learned counsel for the petitioner has argued that the claim of the petitioner was accepted by the writ Court vide decision dated 29.04.2022, thereby giving directions to the respondents to regularize the services of the petitioner w.e.f. the date, his counter parts were regularized and monetary benefits were confined to a period of thirty eight months prior to filing of the writ petition. He further submits that not only the order was passed in the presence of the learned counsel for the respondents, but a legal notice was also sent to the respondents by petitioner on 15.12.2022, but till date, the said order has not been complied with. He prays that the contempt proceedings be initiated against them.

After hearing the learned counsel and considering the material

on record, this Court finds that the writ Court has recently passed the order (Annexure P-1) in favour of the petitioner, but there is no averment in the contempt petition that the said order has attained finality. As per the case of the petitioner, the writ Court extended the benefit in his favour considering his case similar to his counter parts and even, there is no averment in the petition that the said benefit previously extended to his counter parts has actually been implemented. Apart from this, the order dated 29.04.2022 (Annexure P-1) is executable, therefore, considering the above background, this Court is not inclined to exercise the jurisdiction under the contempt of Court Acts, 1971.

Dismissed.

16.11.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No