

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

COC-16-2022

Date of Decision : 11.02.2022

Shilpa Chalia ...Petitioner
versus
Dr. Mahavir Singh, IAS and anotherRespondents

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

Present : Ms. Divya Arora, Advocate for
Mr. Rahul Deswal, Advocate
for the petitioner.

Mr. Pawan Longia, DAG, Haryana.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the petition under Section 11 read with Section 12 of the Contempt of Courts Act, 1971, is for punishing the respondents for intentional and willful defiance of order (Annexure P-1) dated 26.10.2021 in CWP No.26120 of 2018.

[3] A perusal of order (Annexure P-1) dated 26.10.2021 reveals that CWP No.26120 of 2018 was disposed of by directing the respondent-Commission to recommend the name of the petitioner for appointment to the post of PGT (Economics) Category 4 within 15 days from the date of receipt of certified copy of the order and the Education Department to issue appointment letter within 15 days thereafter.

[4] Learned counsel contends that the instant petition was filed

on account of failure of respondent No.2 to do the needful within the stipulated period of time.

[5] At the outset, learned DAG, Haryana, has placed on record copy of order dated 10.02.2022, recommending the name of the petitioner to respondent No.1 for appointment to the post of PGT (Economics) Category 4. Order dated 10.02.2022, as has been produced by the learned DAG, Haryana, is taken on record. Copy thereof supplied to learned counsel for the petitioner, who states that in the circumstances, she does not press the instant petition and the same may be disposed of, as such, while directing respondent No.1 to issue appointment letter within the period of time as stipulated in order (Annexure P-1) dated 26.10.2021 in CWP No.26120 of 2018, while granting liberty to the petitioner to move an application for revival of the instant petition in the eventuality of non-compliance with the orders (Annexure P-1) dated 26.10.2021 in CWP No.26120 of 2018 by respondent No.1

[6] In the light of orders dated 10.02.2022, recommending the appointment of the petitioner to the post of PGT (Economics) Category 4 having been issued by respondent No.2 as well as the statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is called for against respondent No.2.

[7] Accordingly, the contempt petition is *disposed of* as such, while directing respondent No.1 to ensure compliance with orders (Annexure P-1) dated 26.10.2021 in CWP No.26120 of 2018 to issue appointment

letter to the petitioner within 15 days from the receipt of recommendation from respondent No.2.

[8] It is made clear that in case, the needful is not done by respondent No.1 in accordance with orders (Annexure P-1) dated 26.10.2021 in CWP No.26120 of 2018 within the stipulated period of time, it would be open to the petitioner to move an application for revival of the contempt petition.

[9] *Rule discharged.*

[10] Orders be furnished to the learned DAG, Haryana, under the signatures of the Bench Secretary for transmission to respondent No.1.

(B.S. Walia)
Judge

11.02.2022
'Rajneesh'

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