

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

**COCp-1134-2022 (O&M)
Date of decision: 03.08.2023**

Deepak Godara

....Petitioner

Versus

Yash Pal Yadav, Commissioner, Municipal Corporation, NIT, Faridabad

....Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.K. Malik, Advocate
for the petitioner.

Mr. Sourabh Goel, Advocate
for the respondent.

ARVIND SINGH SANGWAN J. (Oral)

The petitioner alleges violation of the order dated 27.04.2018 vide which it was directed that the petitioner be not replaced by any other contractual employee.

Counsel for the petitioner has submitted that 04 days thereafter on 30.04.2018, his services were terminated and he filed the first contempt petition in December, 2019, which was dismissed as withdrawn. The operative part of the said order dated 20.12.2019, passed in COCP No.4324 of 2019, reads as under:-

“After arguing for some time and realising that there is nothing on record to show that the petitioner has been replaced by contractual employee, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to raise the said grievance in the pending writ petition.

Dismissed as withdrawn with liberty as prayed for.”

2023:PHHC:099587

The present contempt petition has been filed now on 03.05.2022, with a similar grievance that the respondents are in violation of the direction dated 27.04.2018.

Counsel for the petitioner has submitted that the services of the petitioner were terminated on 30.04.2018 and thereafter, he was not allowed to join.

As per the reply filed on behalf of the respondent, the petitioner himself has stopped coming to the office after 30.04.2018 and absented himself from the job and never came back to join the duty.

Counsel for the respondent has also raised an objection with regard to the limitation as well as the fact that when the first contempt petition was filed, the same was dismissed as withdrawn to raise the grievance in the pending writ petition. Counsel further submits that till date, no application is moved in the pending writ petition seeking permission to join the services.

Accordingly, the present petition is disposed of having been rendered infructuous.

(ARVIND SINGH SANGWAN)
JUDGE

03.08.2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No