

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

**COCp-2174-2020 (O&M)
Date of decision: 24.01.2023**

Dharabmir and others

...Petitioners

Versus

Satpal Singh and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vijay Pal, Advocate
for the petitioners.

Mr. B. S. Rana, Sr. Advocate with
Mr. Navdeep Doon, Advocate
for the respondents.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners are alleging violation of order dated 03.09.2020 passed in CM-8383-CWP-2020 filed in CWP-4925-2020, vide which the respondents were directed to allow the petitioners to continue in job and in case, they had been earlier relieved, it was directed that they be allowed to rejoin. It was further directed that till further orders, the post manned by the petitioners be not filled up, in pursuance to the advertisement dated 26.08.2020.

Learned senior counsel for the respondents has referred to an office order regarding rejoining of the petitioners on contractual basis in the year 2020-2021, against the date given in the said order.

Learned counsel for the petitioners disputes that with effect from the date, when the petitioners' services were dispensed with and they were rejoined, they have not been paid the salary.

Admittedly, the petitioners have not worked for the said period

and it is not disputed that after rejoining, they are being paid the salary.

At this stage, learned counsel for the petitioners has referred to a subsequent order dated 04.01.2021, vide which it was further directed that in the meantime, the petitioners be paid undisputed monthly salaries regularly.

Since the word '*undisputed monthly salaries*' may have two meanings; one in favour of the petitioners and the another in favour of the respondents/College that the salary is to be paid for the period the petitioners have actually worked, this aspect cannot be decided in a contempt petition.

Accordingly, the present petition is disposed of.

Rule stands discharged.

The petitioners are granted liberty to avail their alternative remedy in accordance with law, if so advised.

24.01.2023
Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No