



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

Date of Decision: 24.07.2024

.....Petitioners

DR. A.S. SANDHU AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Mr. Arun Gosain, Advocate,
Senior Panel Counsel
for the respondents.

1. This is a contempt petition filed under Section 10 read with Section 12 of the Contempt of Courts Act, for initiating contempt proceedings against the respondents for violating the order dated 22.10.2018 passed in CWP-18268-2014.

2. Learned counsel for the respondents has submitted that although the BoG of the institute had approved the proposal for implementation of Part-B of First Schedule to CCS (Revised Pay) Rules, 2008, however, since the financial liability was to be incurred, therefore, final approval was required to be granted by the Government of India, Ministry of Finance, Department of Expenditure. There was already a pre-existing office memo dated 07.10.2008 in that regard. Therefore, merely because the order of the Director, which was in conflict with the recommendation of the BoG was set aside would not create a case for



contempt against the respondents on account of non-payment. Neither there was any direction by the Court to implement the above said schedule qua the petitioners nor had the final authority i.e. Ministry of Finance, Department of Expenditure had ever approved the recommendations of the BoG.

3. In view of the above, this Court does not find any ground to continue with the present petition any more.

4. Dismissed.

5. However, the petitioners would be at liberty to challenge the action and stand taken by the respondents by availing appropriate remedy before the appropriate Court.

(RAJBIR SEHRAWAT)
JUDGE

24.07.2024
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No