

2024:PHHC:122868



114 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

**CM-14038-CII-2024 in/and
COCP-870-2024
Decided on:-17.09.2024**

Rakesh Kumar

....Petitioner..

VS.

Sh. Vinay Kumar, Secretary, HSSC and ors.

...Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Kuldeep Sharma, Advocate,
for the petitioner.

Mr. Vivek Saini, Advocate,
for respondent No.1.

Mr. P.K. Longia, DAG, Haryana.

HARKESH MANUJA J. (Oral)

CM-14038-CII-2024

Prayer in this application is for preponing the date of hearing in the main case, which is fixed for 15.10.2024.

Having heard learned counsel for the parties, the prayer made herein is allowed and date of hearing of the main case is preponed from 15.10.2024 to today itself i.e. 17.09.2024.

Main case

1. By way of present petition filed under Section 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India, prayer has been made for initiation of contempt proceedings against the respondents

on account of alleged willful non-compliance of order dated 28.11.2023 passed by this Court in LPA-227-2023.

2. Learned counsel for respondent No.1 submits that the name of the petitioner stands recommended for the post of LDC and a letter in this regard has been forwarded to the office of respondent No.2.

3. Learned counsel for respondents No.2 and 3, on instructions, submits that the necessary orders with respect to the appointment of the petitioner to the post of LDC shall be passed soon and, thereafter, he shall be made to join the post within a period of two weeks from today.

4. In view of the above, no further orders are required to be passed in the present petition, as such, the same is disposed of.

5. Rule stands discharged.

However, in case the needful is not done within the aforementioned period, as per the undertaking, the petitioner would be at liberty to seek revival of contempt petition and in that eventuality, the erring/concerned officer would be liable to pay additional sum of Rs.1,00,000/- as costs from his/her own pocket in favour of the petitioner towards litigation expenses, immediately, i.e. on the first date of listing of revival application.

17.09.2024

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(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/ No