

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

COCN No.894 of 2023 (O&M)

Date of Decision: 05.03.2024

SAURABH AGGARWAL

.....Petitioner

Versus

RAJESH KUMAR KHOSLA AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. G.S. Bal, Senior Advocate with
 Mr. Laxman Chouhdary, Advocate for the petitioner.

Mr. Vishnav Gandhi, DAG, Punjab.

RAJBIR SEHRAWAT, J. (ORAL)

1. This is a contempt petition filed under Section 12 of the Contempt of Courts Act, for initiating contempt proceedings against the respondents for violating the judgment dated 16.01.2023 passed by this Court in CWP-2388-2022.

2. Learned counsel for the respondents has submitted and as per the compliance report dated 30.11.2023, the case of the petitioner has been duly considered and the petitioner has been promoted to the post of Junior Engineer w.e.f. 28.07.2023. Learned counsel for the respondents has further submitted that no person junior to the petitioner had been promoted earlier. Therefore, there was no basis for promoting the petitioner from earlier date, as such.

3. On the other hand, learned Senior counsel for the petitioner has submitted that there was an interim order passed during pendency of petition signifying the date from which the petitioner was required to be promoted and the final order contained a direction that the petitioner be

promoted from due date, therefore, the petitioner should be promoted from the date when the vacancy was first filled up from the outsources employees.

4. Since, the final order passed by the Writ Court has not specified the date which is to be taken as due date, therefore, this is the issue which could be adjudicated upon and decided only by the Writ Court. The Contempt Court cannot decide upon the entitlements of the petitioner beyond the executable directions issued by the Writ Court. Hence, this Court does not find any ground to proceed further in the matter.

5. Dismissed.

6. However, if any grievance of the petitioner is left un-addressed, he would be at liberty to raise the same in any alternate remedy, but in accordance with law.

(RAJBIR SEHRAWAT)
JUDGE

05.03.2024
sandeep

Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No