

COCp-1462-2022

Date of Decision : 06.09.2022

Dalbir Singh

...Petitioner

versus

A.K. Singh and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Vivek Singla, Advocate for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P-1, dated 05.04.2022, in CWP-9097-2004.

2. A perusal of order Annexure P-1 dated 05.04.2022, reveals that CWP-9097-2004, was allowed, petitioner was held entitled to benefit of regularization w.e.f. 01.02.1996 in view of government instructions dated 07.03.1996/18.03.1996, along with all consequential benefits to be paid to the petitioner along with interest @ 7% per annum from the due date till actual payment.

3. Short reply by way of affidavit of respondent No.1 has been filed along with copy of order Annexure R/1 dated 31.08.2022. Hon'ble the Division Bench vide order Annexure R/1 in LPA-737-2022, dated 31.08.2022, while issuing notice of motion for 28.02.2023, has stayed the operation of impugned order dated 05.04.2022, in CWP-9097-2004. The

same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that in the circumstances, the petitioner does not press the instant petition at this stage but prays for liberty to move an application for revival of the instant petition in the eventuality of modification of interim order dated 31.08.2022 or dismissal of LPA, whichever is earlier.

4. The same is not opposed to by the learned DAG, Haryana.

5. In view of the position noted above, as well as statement of learned counsel for the parties, the instant petition is *disposed of* as not calling for any action against the respondents under the Contempt of Courts Act, 1971, at this stage, while granting liberty to the petitioner as prayed for.

6. Rule discharged.

(B.S. Walia)
Judge

06.09.2022

rajesh

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