



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 2769 of 2024 (O&M)
Date of Decision: 12.09.2024

Hans Raj
..... Petitioner

Versus

Ratesh Garg, The Superintending Engineer,
Water Supply and Sanitation Circle, Ludhiana and another
..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Aarti Sharma, Advocate for
Mr. Shalender Mohan, Advocate
for the petitioner.

Mr. Athar Ahmad, DAG, Punjab
for the respondents.

HARKESH MANUJA, J. (ORAL)

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 interim order dated 17.08.2023 (**Annexure P-1**) passed by this Court in CWP No. 6412 of 2023, the operative para-8 thereof reads as under:-

“ 8. In view of the aforesaid position, the instant petition is disposed of with a direction to respondent No.4-The Superintending Engineer, Water Supply and Sanitation Circle to consider the case of the petitioner for promotion from the day his juniors were promoted, in accordance with law expeditiously preferably within a period of 4 months from today. It shall be open to the petitioner to submit a detailed representation within 3 weeks from today.”

[2] Learned counsel for the respondents, on instructions from Mr. Om Parkash, Junior Assistant, submits that the benefit of notional pay has been granted to the petitioner, however, as regards the re-fixation of pension and arrears, his case has already been forwarded to the office of Deputy Director, Water, Supply and Sanitation Department, Punjab, and the needful shall be done within a period of two weeks from today.

[3] In view of the aforesaid stand / undertaking, learned counsel for the petitioner does not press the present petition any further.

[4] **Disposed off as not pressed.**

[5] However, in case the needful is not done within the afore-stated period, as per undertaking, the petitioner would be at liberty to seek revival of the present contempt petition and in that eventuality, the erring / concerned officer(s) would be liable to pay additional sum of Rs.2,00,000/- 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.

[6] Rule stands discharged.

September 12, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No