



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

COCN No. 2802 of 2024 (O&M)
Date of Decision: 31.08.2024

Vijay Kumar

..... Petitioner

Versus

Dr. Raja Sekhar Vundru (IAS),
Chief Secretary to Govt. of Haryana, Deptt. of
Agricultural Welfare & Farming Others, Chandigarh

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Nihal S. Choudhary, Advocate
for the petitioner.

Mr. Vivek Saini, Advocate
for the respondent.

HARKESH MANUJA, J. (ORAL)

The petitioner, by way of present petition, seeks initiation of contempt proceedings against the respondent(s), alleging willful disobedience of the order dated 28.11.2023 (**Annexure P-1**) passed by this Court in CWP No. 10538 of 2016, the operative portion thereof reads as under:-

“ Keeping in view the above observations, writ petition is allowed and direction is being given to the respondents to regularize service of the petitioner in terms of police dated 01.10.2003 with all consequential service/pensionary benefits including arrears thereof alongwith 9% interest within one month from the date of receipt of certified copy of this order.

Ordered accordingly.”

[2] In response, learned counsel for the respondent files compliance report by way of affidavit dated 30.08.2024 of Sh. Mukesh Kumar Ahuja, Chief Administrator, HSAMB, Panchkula, which is taken on record. Copy thereof has been supplied to the learned counsel for petitioner.

[3] In view of the compliance report, learned counsel for the respondent submits that services of the petitioner have been regularized on the post of Clerk-cum-Typist w.e.f. 01.10.2003 and has already been granted the benefit of consequential promotions to the post of Assistant w.e.f. 29.06.2023. He further submits / undertakes that the arrears payable to the petitioner shall be released within a period of two weeks from today.

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

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

[6] However, in case the payment is not released in favour of the petitioner within the aforementioned stipulated period, the respondent shall be liable to pay interest @ 9% per annum over the said amount and the petitioner shall also be at liberty to seek revival of the present contempt petition. It is made clear that in an eventuality, wherein the petitioner seeks revival on account of default of the respondent, the officer concerned would be liable to pay a sum of Rs.1,00,000/- as costs from his/her own pocket in favour of the petitioner on the day of listing of such application.

[7] Rule stands discharged.

August 31, 2024

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(HARKESH MANUJA)

JUDGE

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