

2024:PHHC:122091



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

COCP-2859-2024
Decided on:-16.09.2024

Jitender Kumar Petitioner..

vs.

SH. Vinay Kumar, IRPS, Secretary, HSSC Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikrant Koundal, Advocate for the petitioner.

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

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 10 read with Section 12 of the Contempt of Courts Act, 1971, prayer has been made for initiation of contempt proceedings against the respondent on account of alleged willful non-compliance of order dated 07.05.2024 passed by this Court in CWP-7279-2017. The operative part thereof is extracted hereunder:-

“For the reasons recorded above, the petition is allowed, and the Commission is directed to recommend the petitioner for appointment against the vacant post of Junior Engineer (Electrical) in the Public Works Department (B&R) Haryana. The Department shall consider and appoint the petitioner subject to his fulfilling other requisite conditions, from the date other selected candidates pursuant to the advertisement in question have been appointed, with all consequential benefits except salary for the period he has not worked. These directions shall be carried

out by the respondents within four weeks of receiving a certified copy of this order.”

2. Learned counsel for the respondents informs that the name of the petitioner has been recommended by the HSSC for the post of Junior Engineer (Electrical) for appointment with the Public Works Development (B&R) Haryana vide communication dated 16.09.2024. He, on instructions, further submits that the remaining compliance regarding appointment of the petitioner with all consequential benefits as directed vide order dated 07.05.2024 passed by the Writ Court shall be done within a period of 04 weeks from today.

3. In view of the aforesaid undertaking, learned counsel for the petitioner does not want to press the present petition.

4. Accordingly, the present petition is dismissed being not pressed.

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.50,000/- 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.

16.09.2024
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(HARKESH MANUJA)
JUDGE

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