



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

(212)

COCF No.1650 of 2022 (O&M)

Date of Decision: 01.12.2025

Hardeep

...Petitioner

VS

Ankur Gupta, IAS and another

...Respondents

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Ragbir Singh, Advocate for
Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Amit Rao, Advocate
for respondent No.2.

VIKRAM AGGARWAL, J (ORAL)

1. The instant petition has been preferred under Sections 11 and 12 of the Contempt of Courts Act, 1971 (hereinafter referred to as the 1971 Act) alleging willful disobedience order dated 05.12.2020 (Annexure P-11) passed by this Court in ***CWP No.16212 of 2020 titled as Hardeep Vs. State of Haryana and others:-***

“Counsel for the petitioner herein would contend that the petitioner has been working as an Assistant Professor-cum-Yoga Teacher since 2017 and is now apprehending that his services will be dispensed with and he will be replaced by another person on contractual basis.

Notice of motion for 02.02.2021.

In the meantime, in case there is necessary workload, the petitioner be allowed to continue to work till a regular selected person is appointed.”

2. The grievance of the petitioner is that despite the writ petition being pending adjudication, the respondents are not permitting the petitioner to work despite workload being available.

3. In the reply submitted by respondent No.2 it has been averred as under:-

“3. That the deponent hereby submits that the Courses of B.PED and M.PED stands discontinued in the Department of

Physical Education in the session 2019-2020 and No fresh admission has been made in the year 2019-20 for B.PED & M.PED and now there are no regular classes for the courses in the Department of Physical Education. As per E.C. Resolution No. 49 dated 29.07.2020 M.A. Yoga Science (SFS) Programme has also been shifted from Department of Physical Education to Centre for Yogic Studies under the faculty of Interdisciplinary Studies and is being run there. The workload of the Department of the Physical Education was re-assessed by a Committee headed by the Dean Academic Affairs, Dean Faculty of Education & HOD. The Committee recommended that there is sufficient faculty including specialized human resource within the university to meet the workload of the Department of Physical Education. A copy of committee recommendation dated 07.09.2020 is annexed herewith as Annexure R-2/1. The Vice-Chancellor approved the recommendations of the Committee observing that there is no need to engage faculty on Contract basis (earlier designated as Resource Person). Till date no Resource Person/Assistant Professor on contract has been re-engaged in the Dept. of Physical Education since session 2020-21. It is submitted that Centre for Yogic Studies has already been established vide Executive Council Resolution No. 49 dated 29.07.2020, Academic Council's Resolution No. 6 dated 24.10.2020 & Executive Council Resolution No. 16 dated 29.10.2020. A copy of Executive Council Resolution No. 49 dated 29.07.2020, Academic Council's Resolution No. 6 dated 24.10.2020 & Executive Council Resolution No. 16 dated 29.10.2020 are annexed herewith as Annexure R-2/2, R-2/3 and R-2/4 respectively. Presently, there is no sanctioned post (Budgeted/SFS) in Centre for Yogic Studies so no new/old Resource Person had been engaged/re-engaged. As per Section- 9 (F) of Maharshi Dayanand University Act-1975, the University cannot create any Teaching and Non-Teaching posts) without obtaining prior approval of the Government. Accordingly, the University vide letter dated 27.06.2022 has requested the Director General, Higher Education, Haryana to convey approval for creation of various teaching and non-teaching post for existing/newly created Teaching Departments/ Centres/ Institutes including Centre for Yogic Studies and has further sent revised information to Director

General Higher Education, Haryana vide letter dated 21.07.2022. Copy of letter dated 27.06.2022 and 21.07.2022 are annexed herewith as Annexure R-2/5 (colly) and the approval is still awaited. A representation dated 13.07.2022 was received from the petitioner vide Which he has requested to re-engage him as Assistant Professor on contract for teaching Yoga in Centre for Yogic Studies and the petitioner has been informed vide letter dated 23.08.2022 that the Classes in the Centre for Yogic Studies are being conducted by sufficient existing Regular Teaching Faculty of the University for the current academic session and no Resource Person has yet been engaged in the Centre for Yogic Studies. Till date there is no change in the position as already conveyed to the petitioner. A copy of letter dated 23.08.2022 and communique sent through email dated 05.09.2022 are annexed herewith as Annexure R-2/6 (colly)."

4. Learned counsel for the petitioner has not been able to point out as to how there has been a willful disobedience of the order passed by the Writ Court once, as per the categoric case of the respondents, there is no workload available.

5. That being so, no willful disobedience of the order dated 05.12.2020 can be said to have been committed by the respondents. Under the circumstances, the present contempt petition is found to be bereft of merit and is accordingly dismissed.

Pending application(s), if any, shall also stand disposed of.

(VIKRAM AGGARWAL)
JUDGE

December 01, 2025

Rekha

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