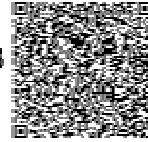


2025:PHHC:107516-DB

CACP-96-2025 (O&M)
Date of Decision: 19.08.2025

Suresh Kumar

...Appellant

Vs.

Vineet Garg and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**Present: Mr. Raj Kumar Makkad, Advocate and
Mr. Himalya Makkad, Advocate for the appellant.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This contempt appeal arises out of an order passed by the learned Single Bench declining to initiate contempt proceedings against the respondents.
2. The learned Single Bench has noticed that pursuant to the interim order passed by the writ Court, the appellant has already been allowed to join and for the purposes of payment of salary, the respondents have been directed to examine the claim of the appellant, in accordance with law.
3. In order to make out a case of contempt, the disobedience has to be willful and deliberate.
4. Admittedly, the writ petition is pending. Under the interim orders, the appellant has been allowed to join. The question of payment of salary would be an aspect open for examination before the writ Court.

5. In that view of the matter, we do not find any reason to interfere with the order passed by the learned Single Bench. The appeal fails and is accordingly dismissed.
6. All pending misc. application(s), if any, also stand disposed of.

(ASHWANI KUMAR MISHRA)
JUDGE

(ROHIT KAPOOR)
JUDGE

19.08.2025
rajesh

1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No