

2025:PHHC:014482

164 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCP-4439-2024 (O&M)

Decided on:-30.01.2025

Raj Bala

....Petitioner..

vs.

Vinit Kumar Garg, Additional Chief Secretary to
Govt. of Haryana and others

.Respondents.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. S.K. Garg, Senior Advocate with
Mr. Vishal Garg Narwana, Advocate and
Mr. Nitin Sachdeva, Advocate for the petitioner.

Mr. Ashish Yadav, Addl. A.G., Haryana.

HARKESH MANUJA J. (Oral)

1. By way of present petition, prayer has been made for initiation of contempt proceedings against the respondents for the alleged willful non-compliance of order dated 29.04.2024 passed by this Court. The operative part thereof is reproduced hereunder:-

“For the reasons recorded above, the petition is allowed. The impugned order dated 28.04.2023 is set aside. The respondents are directed to consider the petitioner for promotion on the post of Principal in accordance with law as per her seniority position, and release all due consequential benefits within four weeks of receiving a certified copy of the order.”

2. Learned counsel for the respondents submits that the petitioner has been promoted to the post of Principal vide order dated 04.12.2024 and

her pensionary benefits are required to be refixed accordingly followed by release thereof. Learned counsel, on instructions from Mr. Jitender Kumar, Director, Secondary Education, Haryana, who is present in person submits that the needful exercise of refixation of salary/pensionary benefits and release thereof shall be done within a period of 04 weeks from today.

3. In view of the aforesaid, learned counsel for the petitioner does not press the present petitioner.
4. Accordingly, the present petition is dismissed as not pressed.

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 such eventuality, the erring concerned officer(s) 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. It is also made clear that in case the respondents failed to release the revised pensionary benefits along with arrears within the afore-stated period as per undertaking mentioned in previous para, the salary of the Director, Secondary Education, Haryana, shall remain attached till the benefits are released to the petitioner.

5. Rule stands discharged.

30.01.2025
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(HARKESH MANUJA)
JUDGE

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