



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCp-526-2026(O&M)
Date of decision: 17.04.2026

Kulwant Kaushal

... Petitioner

Versus

Jagat Jot Goel and another

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. G.S. Bal, Senior Advocate, with
Mr. Laxman Chaudhary, Advocate, for the petitioner.
Ms. Shiny Chopra, AAG, Punjab.

VIKRAM AGGARWAL, J. (ORAL)

The instant contempt petition instituted under Section 12 of the Contempt of Courts Act, alleges willful disobedience of the order dated 31.01.2025, passed in CWP-1959-2019.

2. The case of the petitioner was that the petitioner had rendered more than two decades of service, but had not been regularized, though, as per the instructions issued by Government of Punjab in 2003, the benefit of regularization of service was required to be extended to the petitioner. Further, it was averred that under the circumstances, the respondents were under an obligation to consider the petitioner's eligibility for regularization so that the petitioner could avail pensionary benefits as per the same, more so when juniors to him had already been regularized.

3. Reliance was placed by the petitioner upon the judgment dated 19.07.2024, passed in CWP-26714-2019 [**Hira Devi and others v. State of Punjab and others**].

4. Upon a statement having been given by learned State counsel that the claim of the petitioner would be considered for regularization services keeping in view the judgment in **Hira Devi's case** (supra), and a fresh speaking order would be passed within a period of eight weeks, the writ petition was disposed of.

5. Alleging willful disobedience, the instant contempt petition was filed.



6. Short replies by the respondents were also filed, pursuant to which vide order dated 13.03.2026 was passed:-

“CWP-1959-2019 was disposed of vide order dated 31.01.2025 in the following terms:-

“3. Learned senior counsel further submits that the question of law raised in the present petition has already been decided by this Court in CWP No. 26714 of 2019 titled as Hira Devi and others Vs. State of Punjab and others, decided on 19.07.2024 hence, claim of the petitioner also be considered in light of the judgment in Hira Devi's case (supra) in a time bound manner so that petitioner does not suffer any further prejudice.

4. Learned State counsel submits that the claim of the petitioner will be considered for regularization of his services keeping in view the judgment of this Court in Hira Devi and others' case (supra) by passing a fresh speaking order within a period of eight weeks from the date of receipt of copy of this case and in case, he is found eligible and any of the junior of the petitioner has already been regularized in service, appropriate benefit will be given to him qua regularization of his services so that he can avail the pensionary benefits and in case, the benefit cannot be given, due reasons for arriving at the said conclusion will be mentioned in the speaking order to be passed, which will be conveyed to the petitioner for his information and necessary action.

5. Learned senior counsel for the petitioner submits that in view of the statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.”

2. Though in compliance of the directions issued, a speaking order dated 20.05.2025 has been passed and the petitioner has been deemed to be regularized as on 31.10.2009 only for the purpose of grant of pensionary benefits, the said benefits are not being released on the ground that against the judgment dated 19.07.2024 rendered in CWP-26714-2019 (and other connected cases) the lead case being *Hira Devi and others*



vs. State of Punjab and others, an LPA-459-2025 has been preferred, which is pending.

3. In the considered opinion of this Court, the stand of the State is totally unjustified as concededly there is no stay in the letters patent appeal. Reference has also been made to certain contempt petitions disposed of by a coordinate Bench on the ground of the pendency of the LPA. In the considered opinion of this Court, the said stand is also unreasonable.

4. That being so, the State is directed to file a specific affidavit in this regard stating that as to under what circumstances, such a stand has been taken. The needful be done within a period of two weeks.

5. List on 06.04.2026.

To be taken up in the urgent list.”

7. Since the directions were not complied and further time was sought by the State to comply with the order, the respondents were, vide order dated 06.04.2026, directed to remain present in Court.

8. In compliance with the said order, the respondents are present. Separate additional affidavits of Er. Jagatjot Goel, Chief Engineer (South), Water Supply and Sanitation Department, Patiala, on behalf of respondent No.1, and Mr. Ishan Kaushal, Executive Engineer, Water Supply and Sanitation Division, Fatehgarh Sahib, on behalf of respondent No.2, have been filed in Court today, which are taken on record.

9. Paragraphs 5 to 7 of the affidavit filed on behalf of respondent No.2, read as under:-

“5. That the deponent further submits that, in compliance with the order dated 31.01.2025 read with the speaking order dated 20.05.2025, the case of the petitioner for release of pensionary benefits shall now be forwarded to the concerned authorities at the earliest for necessary processing and sanction. Since the departmental and treasury formalities relating to fixation, sanction and actual disbursement of pensionary benefits are time-consuming. Therefore, the answering respondents most respectfully and humbly prayed before this Hon'ble Court to grant a period of six months for the actual release of the pensionary benefits to the petitioner.



6. That the deponent further submits that the earlier stand taken by the answering respondents, namely, withholding of benefits on account of pendency of LPA No.459 of 2025 arising out of the judgment in Hira Devi's case, is not being pressed any further and is hereby withdrawn as per the approval of Competent Authority of the Department. Further, the answering respondents undertake to abide by and give full effect to the orders passed by this Hon'ble Court in the present matter.

7. That the deponent has the utmost regard for this Hon'ble Court and there has never been any intention to act in willful, deliberate or contumacious disobedience of its orders. However, if this Hon'ble Court is of the view that there has been any infraction or delay in compliance, the deponent tenders an unconditional apology and undertakes to ensure prompt and complete compliance in future.”

10. Learned Senior counsel for the petitioner submits that the petitioner does not press the contempt petition in view of the aforesaid averments in the affidavit. Learned Senior counsel, however, submits that the time period of six months stated in the aforesaid affidavit(s) be reduced, as the petitioner is waiting for his retiral benefits.

11. Per contra, learned State counsel, on instructions, submits that the procedure takes time and the respondents shall make all efforts to do the needful at the earliest.

12. That being so, no further orders are required to be passed by this Court and the instant contempt petition accordingly stands disposed of in terms of the contents of the affidavits (**ibid**) and the statements given by learned counsel for the parties.

13. Pending application(s), if any, also stands disposed of.

(VIKRAM AGGARWAL)
JUDGE

April 17, 2026

Rajan

Whether speaking / reasoned:

Yes/No

Whether Reportable:

Yes/No