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

**COC-4661-2024 (O&M)
Date of Decision: 28.04.2026**

Kulwant Singh Sandhu and others

.....Petitioners

Vs.

Sh. Sumer Singh Gurjar, IAS and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Ms. Mehak Sharma, Advocate, for
Mr. Dhiraj Chawla, Advocate,
for the petitioners.

Mr. Ravneet S. Joshi, DAG, Punjab,
for respondents No.1 and 4.

Mr. Ayush Sarna, Advocate,
for respondents No.2 and 3.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 08.05.2024 passed by this Court in CWP-3327-2022, which was disposed of in terms of judgment passed in CWP-19238-2013 titled as '**Amrish Sharma and others vs. State of Punjab and others**', decided on 26.02.2024.

2. The relevant paragraph No.47 of the judgment passed in **Amrish Sharma's case** (supra) is reproduced as under:-

“Conclusion:

47. In the wake of above discussion and findings, this Court comes to conclusion as below:



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- i) This Court in the normal course cannot ask State to create or sanction posts.*
- ii) The petitioners who had completed service of 10 years by the end of December' 2006, either at present are in service or have already retired, are entitled to regular post and they cannot be denied regularization on the ground of lack of sanctioned post or minimum education qualification. To avoid burden on State exchequer, it is clarified that from the deemed date of their regularization, they shall be entitled to minimum of pay scale plus dearness allowance and grade pay till the date of this order and thereafter regular pay scale.*
- iii) The petitioners who are still in service but did not complete service of 10 years by the end of December' 2006 would form part of dying cadre created by 2023 Policy. The State, in view of long service of these employees, would not insist for minimum qualification. They from the date of completing service of 10 years would be entitled to minimum of pay scale plus dearness allowance plus grade pay till the date they are regularized in terms of 2023 Policy.*
- iv) The petitioners who did not complete service of 10 years by the end of December' 2006 and during the pendency of present litigation have superannuated or passed away would be entitled to minimum of pay scale plus dearness allowance and grade pay from the date of completing service of 10 years till the date of their retirement or death.*
- v) The petitioners who have already been regularized by 31.12.2016 shall not be entitled to any additional financial benefit because they are already getting higher amount of salary for last couple of years.*
- vi) The respondent-State shall not be liable to pay interest on arrears arising on account of re-fixation of pay."*

3. In compliance of the order dated 08.05.2024 passed by this Court in CWP-3327-2022, short affidavit dated 01.04.2026 of Rajdeep Kaur, Secretary, State Election Commission, Punjab, along with Annexures R-1 to R-5, has been filed on behalf of respondents No.2 and 3 before the Registry.



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The same is taken on record.

4. A perusal of the paragraph 14 of the said affidavit shows that order dated 08.05.2024 passed by this Court in CWP-3327-2022 has been complied with.

5. In view of the above, since order dated 08.05.2024 passed by this Court in CWP-3327-2022, has been complied with, therefore, the present contempt is purged and rule stands discharged.

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

(SUDEEPTI SHARMA)
JUDGE

28.04.2026

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No