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

**COC-5406-2025 (O&M)
Date of Decision: 05.02.2026**

Rita Sharma

.....Petitioner

Vs.

Ashok Kumar Garg

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. B.S.Beniwal, Advocate,
for the petitioner.

Ms. Nikita Goel, Advocate,
for the respondent.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 07.12.2016 passed by this Court in CWP-4715-2016, whereby the following direction was issued:-

“Consequently, I am of the considered opinion that the petitioner deserves to be compensated by the respondents and for that matter, they are directed to pay Rs.15 lacs as compensation to the petitioner which would include her hospitalization charges, operation, so long treatment, diet, transportation, care-taking, mental pain and agony, future prospectus and element of disability. Since she was a 13 years old girl at the time of electrocution and is to be rehabilitated, therefore, the amount of Rs.10 lacs to be paid by the respondents shall be deposited in the FDR in the name of the petitioner and the remaining amount of Rs.5 lacs shall be paid to her father, who has allegedly incurred expenses on her treatment and other heads. The petitioner shall be entitled to withdraw the interest accrued on the FDR.



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After attaining the age of majority, the petitioner may make an application to the respondents-department for the purpose of job according to her qualification, which shall be considered objectively and sympathetically and in case the petitioner is found suitable and eligible, they would also offer job to her so that she may not feel dependent and handicapped in her life because of the aforesaid incident and can be rehabilitated permanently with the financial security.

Disposed of”

2. In compliance of the order dated 07.12.2016 passed by this Court in CWP-4715-2016, compliance report by way of affidavit dated 22.01.2026 of Rajinder Kumar Sabarwal, Chief Engineer/OP DHBVN, Hisar, along with Annexures R-1 to R-4, has been filed on behalf of the respondent in the Registry. The same is taken on record. The relevant portion of the said compliance report is reproduced as under:-

*“7. That the amount of Rs. 10,00,000/- stood deposited in the FDR in the name of the petitioner vide slip dated 03.03.2017, the said copy is annexed as **Annexure R-1**.*

8. That amount of Rs. 5,00,000/- stood paid to the father of petitioner, namely, Sh. Shanker Dutt Sharma vide cheque no.106559 dated 07.02.2017.

9. That qua the second direction of the Hon'ble Court dated 07.12.2016, the petitioner (after attaining the age of majority) requested to the then Managing Director, DHBVN on dated 09.08.2019 for job.

10. That the request of petitioner was forwarded by the Superintending Engineer/Admn., DHBVN, Hisar vide office memo No. Ch-197/SE/Admn./Gen-1/Vol-XVIII dated 22.08.2019 to Superintending Engineer, Operation Circle, DHBVN, Hisar.

Thereafter, the case was submitted to the Chief Engineer 'Operation Zone', DHBVN Hisar (being competent authority in case of non-fatal accidents) vide Superintending Engineer Operation Circle, Hisar memo No. Ch-14/AC-581/HSR-II dated 14.10.2019 and the Chief Engineer 'Operation Zone', DHBVN Hisar



forwarded the same to the Superintending Engineer/Admn., DHBVN, Hisar.

11. That the Superintending Engineer/Admn., DHBVN, Hisar vide office memo No. Ch-102/SE/Admn/REG-86/Vol-III dated 20.11.2019 addressed to the Chief Engineer 'Operation Zone', Hisar had conveyed that:-

“As per the existing policies of the Nigam on the said matter, there is no provision to provide job to the private person(s) in case of fatal/non-fatal accidents. All the facts of the case clearly reveal that the instant case does not cover under any ex-gratia policy adopted by the Nigam.”

12. That the petitioner again requested to the Managing Director, DHBVNL, Hisar on 05.03.2021 for getting job which was received from the office of the Superintending Engineer Administration, Dakshin Haryana Bijli Vitran Nigam Limited, Hisar vide memo No. Ch-255/SE/Admn./Gen-1/Vol-XXI dated 09.03.21 addressed to Superintending Engineer Operation Circle DHBVN Hisar.

13. That the case was submitted by the Superintending Engineer Operation Circle DHBVN, Hisar to the Chief Engineer 'Operation Zone', DHBVN Hisar (being competent authority in case of non-fatal accidents) vide memo No. Ch-19 dated 22.03.2021 with a copy to the Superintending Engineer Admn., Hisar alongwith higher qualification (B.Com.) of the petitioner.

14. The Chief Engineer 'Operation Zone', DHBVN, Hisar vide his office memo No. Ch-13/AC/HH-591 dated 06.07.2021 (which is annexed as **Annexure R-2**) addressed to the petitioner namely, Ms. Rita Sharma stated that her request has been considered sympathetically and it has been **decided to offer her job of Peon on outsourced basis as per her qualification/eligibility criteria and vacancy position of staff in DHBVN** as per prevailing outsourcing policy annexed as **Annexure R-3**.

Further, consent in this regard was sought from her. ***As per record no communication has been found received from the petitioner, namely, Ms. Rita Sharma. The petitioner also did not turn up for joining for the post of Peon through outsourcing policy, which was offered to her.***



15. That at the time when offer for job of peon through outsource basis was given to the petitioner by Chief Engineer/Operation, Hisar vide office memo No. Ch-13/AC/HH-591 dated 06.07.2021, outsource policy was existing for engagement of outsource worker/employee through contractor.

*Thereafter, the Haryana Government has framed a policy namely, Deployment of Contractual Persons Policy, 2022 (**Annexure R-4**) applicable from 01.04.2022 for deployment of contractual manpower through the Haryana Kaushal Rozgar Nigam Ltd (HKRNL) and all the outsourced manpower has been ported to HKRNL portal. Thus, now the engagement of any manpower on outsource basis does not fall under the purview of Nigam.*

16. That afterwards the petitioner filed an execution petition vide EXE/90/2023 dated 22.08.2023 in the Civil Court, Hisar to provide job as per order dated 07.12.2016 of the Hon'ble Punjab and Haryana High Court. Ld. Civil Court, Hisar dismissed the execution petition (EXE/90/2023 dated 22.08.2023) on 12.05.2025. The operative part of the order is reproduced as under:-

“The relief sought by the DH in the present petition, viz., direction for direct employment, does not flow from the judgment-decree in question, and hence, cannot be enforced in execution proceedings. However, it is made clear that the JD is under a bidding obligation to objectively and sympathetically consider the DH's application for employment, in the spirit of the judgement of the Hon'ble High Court, as and when such application is made, and to communicate the outcome of such consideration to her in writing.

It is further clarified that the DH shall be at liberty to submit an appropriate application for employment in accordance with her qualifications and in conformity with the applicable statutory rules and recruitment procedures. Nothing in this order shall preclude the DH from availing such remedies as may be otherwise available to her under law.

In view of the above discussion, the execution petition seeking direction for direct



appointment is dismissed, being beyond the scope of the decree.”

17. That the petitioner again requested on 28.07.2025 to the Managing Director, DHBVN Hisar for getting job and the Chief Engineer 'Operation Zone' DHBVN, Hisar vide his office memo No. Ch-19/AC/HH-591 dated 25.08.2025 reiterated that as per the existing policies of the Nigam, there is no provision for grant of regular employment to private person in cases of fatal/non-fatal accidents and the instant case of the petitioner, does not fall under any ex-gratia employment policy/compensation policy of the Nigam for granting the regular employment in the Nigam.

18. That it is most humbly submitted that the direction of the Hon'ble Court is with regards to the provision of job as per qualifications but regular selection on the post of Group C and D is made via recruiting agency i.e. Haryana Staff Selection Commission and the Nigam cannot employ anyone by taking recruitment process out of purview of the recruiting agency i.e. Haryana Staff Selection Commission, Panchkula.

From the above submissions, it is clear that the 1st portion of order has been complied with in letter and spirit whereas regarding compliance of 2nd portion of the order dated 07.12.2016 passed in CWP No. 4715 of 2016 titled as Rita Sharma Versus DHBVN & Another of Hon'ble Punjab & Haryana High Court, the matter has been considered sympathetically within the four corners of existing policies of the Nigam and it is decided that the Nigam cannot offer job on regular basis being the recruitment process is in the preview of Recruiting Agency i.e Haryana Staff Selection Commission, Panchkula.”

3. A perusal of the compliance report dated 22.01.2026 shows that order dated 07.12.2016 passed by this Court in CWP-4715-2016 has been complied with.



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4. In view of the above, since order dated 07.12.2016 passed by this Court in CWP-4715-2016, has already been complied with, therefore, the present contempt is purged and rule stands discharged.

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

(SUDEEPTI SHARMA)
JUDGE

05.02.2026

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No