HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Contempt Petition No. 93/2019
In
S.B. Civil Writ Petition No.4531/2004
CNR: RJHC020027722019 | URN: CCP / 96U / 2019

Phool Singh Saini S/o Shri Parso, aged about 50 years, R/o Near Kaccha Kunda, B-Narain Gate, Bharatpur, Rajasthan

----Petitioner

Versus

1. Shri Kamal Singh Meena, Secretary, Urban Improvement Trust (U.I.T.) Bharatpur, Rajasthan
2. Shri Kunji Lal Meena, Principal Secretary, Urban Development And Housing Department (UDH), Government Secretariat, Jaipur (Raj.)

----Respondents/Contemnors

For Petitioner(s)	:	Mr. Arvind Kumar Singh
For Respondent(s)	:	Mr. L.L. Gupta with Ms. Pratibha Sharma

HON'BLE MR. JUSTICE BIPIN GUPTA
Order

20/11/2026

1. The present contempt petition has been filed for non compliance of the order dated 19.07.2026 passed by a Co-ordinate Bench of this Court in S.B. Civil Writ Petition No.4531/2004. The relevant portion of the order is reproduced as under:

> *"It has been informed that the respondent-workman has already been reinstated in service. The consequential benefits which flow from the award dated 19/08/2003 be made available to the respondent-workman. Compliance be made within a period of three months from today."*

2. Learned counsel for the petitioner submits that order has not been complied with.

3. *Per contra*, learned counsel for the respondents submits that the award dated 19.08.2003 has been fully complied with, as ordered by the Court in its order dated 19.07.2017. The relevant portion of the award dated 19.08.2003 is reproduced as under:

> ''उपरोक्त विवेचन के आधार पर इस प्रकरण में निम्न अवार्ड पारित किया जाता है।
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> सहायक अभियन्ता, नगर सुधार न्यास, भरतपुर द्व ारा उनके श्रमिक श्री फूलसिंह पुत्र परसों, जाति माली को दिनांक 1.3.90 को सेवा से मुक्त करना अनुचित एवं अवैध है, प्रार्थी पुनः सेवा में लिए जाने का अधिकारी है। प्रार्थी माह अक्टूबर, 90 से अपनी सेवाएं निरन्तर मांगें जाने का अधिकारी होगा तथा माह अक्टूबर 90 से अवार्ड की तिथि के पूर्व का वेतन का पच्चीस प्रतिशत वेतन प्रार्थी प्राप्त करने का हकदार होगा, इसके उपरान्त वह नियमानुसार वेतन प्राप्त करने का अधिकारी होगा।
>
> अवार्ड की प्रति प्रकाशन हेतु राज्य सरकार को प्रेषित हो।''

4. Learned counsel for the respondents submits that the learned Labour Court had found the dismissal of the petitioner from service to be illegal and, accordingly, directed his reinstatement. He further submits that the Labour Court had also directed that the petitioner would be entitled to 25% of his salary from October, 1990 till the date of the award, i.e., 19.08.2003.

5. Learned counsel for the respondents further submits that thereafter, the petitioner was entitled to 100% of his salary. He submits that the petitioner was reinstated on 29.04.2016 and that 25% of the salary, in terms of the award, for the period from October, 1990 (the date of dismissal from service) till 19.08.2003 (the date of the award) has been paid. Further, the wages for the period from 20.08.2003 to 28.04.2016 has been paid and also accepted by the petitioner in his affidavit. He further submits that

thereafter, the petitioner continued to serve and his salary was duly paid till the termination of his services on 31.03.2020. Thus, he submits that there is no non-compliance of the award.

6. *Per contra*, learned counsel for the petitioner submits that the payment has been made belatedly. He also submits that he has not been granted the benefit of semi-permanent and permanent status and therefore, the award has not been complied with.

7. Heard learned counsel for both the parties and perused the material available on record.

8. This Court finds that the learned Labour Court vide award dated 13.08.2003 directed reinstatement of the petitioner and payment of arrears of salary at the rate of 25% from October, 1990 till the date of the award. The petitioner has been reinstated and further salary from date of award till reinstatement has been made. There was no direction for granting semi-permanent or permanent status to the petitioner. Further, there was no direction that the petitioner would not be removed from service in future. Therefore, this Court finds that sufficient compliance has been made. If any grievance of the petitioner remains or if the petitioner has subsequently been terminated from service, he is at liberty to seek appropriate relief in accordance with law.

9. Accordingly, the contempt petition stands disposed of.

10. Notice stands discharged.

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

(BIPIN GUPTA),J