

COCP-2144-2022

Date of Decision :29.11.2022

Madan Mohan Garg

...Petitioner

versus

Arun Kumar Gupta

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Parminder Singh, Advocate for the petitioner.

Mr. Manish Dadwal, AAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 08.03.2022 in CWP-4492-2022.
2. A perusal of order Annexure P-1 reveals that CWP-4492-2022 was disposed of by directing the respondent to consider and decide the representation filed by the petitioner in accordance with law within three months from the date of receipt of certified copy of the order.
3. At the outset, learned AAG has produced copy of order dated 18.11.2022 giving deemed date of promotion to the petitioner as Municipal Engineer w.e.f. 28.08.2009 i.e. from the date his juniors Sh. Raj Kumar Sharma and Sh. Rajender Singh Yadav were promoted as Municipal Engineer with actual benefits to be given from the date of his promotion i.e. 03.03.2014. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner who on perusal of the same states that in

the circumstances, he does not press the instant petition but prays for grant of liberty to challenge order dated 18.11.2022 by way of appropriate proceedings in accordance with law to the extent the same is adverse to the interest of the petitioner.

4. In view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is *disposed of* as not calling for any action against the respondent under the Contempt of Courts Act, 1971 while granting liberty to the petitioner as prayed for.

5. Rule discharged.

(B.S. Walia)
Judge

29.11.2022

ps

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