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

COCP-2162-2025

Date of decision: 08.08.2025

**BHARAT BHUSHAN****..Petitioner****Versus****PANKAJ IAS AND ORS****..Respondents****CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Saurabh Bajaj, Advocate  
for the petitioner.

Mr. Harish Nain, AAG, Haryana  
for respondent No.1 and 2.

Mr. Rose Gupta, Advocate  
for respondent No.3.

**SUDEEPTI SHARMA, J. (Oral)**

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 22.10.2016, passed by this Court in in CWP-2286-2009.

2. The relevant para 14 and 15 of the judgment passed on 22.10.2016 in CWP-2286-2009 are reproduced as under:-

*“14. For the foregoing reasons, I would allow this writ partly and set aside the selection of the 3<sup>rd</sup> respondent as illegal and vitiated by fraud. However, the petitioner will get no benefit from this since the post vacated by the 3<sup>rd</sup> respondent would have to be re-advertised and filled in accordance with law. In the fresh selection, the 3<sup>rd</sup> respondent would have a right to apply and the State would consider his case as well as that of the petitioner even if in the meanwhile they may have become over-age.*



*15. The equally serious question which remains is the future course to be adopted in the cases of respondents No.4 to 7. Their cases will be handed over by the State of Haryana to Vigilance Bureau to make an investigation into their conduct. No comment is made or opinion expressed on them so as not to cause them any prejudice in the inquiries they may face as a result of this order. It will be open to the investigating agency to examine threadbare whether fraud was committed by the Selection Committee bordering on the criminal and the role, if any, of the successful candidate may also be investigated. However, and use of the word “fraud” in this order would not cause prejudice anyone connected with the matter so as to leave the Vigilance Bureau or any other agency free to apply its independent mind.”*

3. The petitioner in the present contempt petition is respondent No.3 in CWP-2286-2009.

4. Learned counsel appearing on behalf of State contends that in compliance of order dated 22.10.2016, Sh. D. Suresh, IAS, Principal Secretary, Food, Civil Supplies & Consumer Affairs Department, Haryana has filed compliance report dated 28.07.2025.

5. The relevant para 5 and 7 of the compliance report dated 28.07.2025, are reproduced as under:-

*“5. That in compliance of the aforesaid order, the Respondent No. 3 i.e (Petitioner) whose selection was set aside as illegal and vitiated by fraud vide order dated 22.10.2016 of Hon'ble high court, with direction to further allow the petitioner to apply for the post of AFSO, the deponent vide order dated 9/16.02.2023 terminated the service of the petitioner and also sent the requisition for the above post of AFSO in handicap quota.*



*7. That the answering deponent sent the records available in this department, to Director General of Police, Anti-Corruption Bureau, HQ, Panchkula vide letter dated 24.02.2025 (Annexure R-1) for investigation of selection committee as per the directions of Hon'ble High Court. Apart from it, the records related to the case was also sent to the Anti-Corruption Bureau, Gurugram vide letters dated 20.06.2025 (Annexure R-2) & 01.07.2025 (Annexure R-3) in reference to their letters dated 06.06.2025 & 23.06.2025.”*

6. Learned State counsel further contends that Letter Patent Appeal No.2358 of 2016 filed against CWP-2286-2009 has already been dismissed by Division Bench of this Court on 05.12.2022. He further submits that Special Leave Petition preferred against the order passed in LPA-2358-2016 has also been dismissed.

7. The relevant para 4 of the judgment passed on 05.12.2022, in LPA-2358-2016, is reproduced as under:-

*“4. After hearing learned counsel for the parties and considering the reply filed by the State, as well as by Bharat Bhushan, the learned Single Judge dismissed the writ petition while making the following observations:-*

*(i)The record reveals the clear overwriting and manipulation of the figures on the original result/calculation sheet;*

*(ii)There is no valid explanation for this overwriting coming forth either from the original record or the pleadings put in by the authorities in this case, including those put in by the members of the Committee (Interview Committee) and the convener; and*



*(iii)The selection for the post of AFSO would go through Haryana Selection Commission or the Public Service Commission but this selection was done by the Department.The action of the respondents constituting Departmental Selection Committee without taking the post out of the purview of the Commission was wrongful and improper action which belied chances of a fair and proper selection consistent with the constitutional scheme in Article 14 and Article 16 of the Constitution.*

*(iv)The selection of the appellant Bharat Bhushan was born in fraud and fraud vitiated everything.”*

8 In view of the above, the contempt is purged and rule is discharged.

**August 08<sup>th</sup>, 2025**

*Ayub*

**(SUDEEPTI SHARMA)  
JUDGE**

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