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

COCP-1059-2025

Date of decision: 06.08.2025

SANDEEP KUMAR

..Petitioner

Versus

**SH ANURAG AGARWAL ADDITIONAL CHIEF SECRETARY  
IRRIGATION DEPT HARYANA AND ANOTHER**

..Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Dr. Pankaj Nanhera, Advocate  
for the petitioner.

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

1. The contempt petition has been filed for deliberate and intentional disobedience of order dated 28.11.2023, passed by this Court in CWP-24608-2023.
2. A perusal of file shows that CWP-24608-2023 was never filed by the petitioner herein but was filed by general category candidates, challenging instructions dated 07.10.2023 and communications dated 25.10.2023. As per the instructions, the Haryana Government Human Resources Department directed various departments of the Government of Haryana to grant benefit of reservation in promotion in all the cadres of Group 'A' and Group 'B' posts to the employees belonging to the Scheduled Castes to the extent of 20% of the sanctioned posts of promotional quota subject to the terms and conditions mentioned therein.
3. The relevant para 34 of order dated 28.11.2023, passed by this Court in CWP-24608-2023, is reproduced as under:-



*“34. Keeping in view the above said facts and circumstances, this Court is of the view that the ends of justice would be served in case the respondent-State is permitted to proceed further with the promotions in accordance with the impugned instructions but the same would be subject to the decision in the present writ petitions. The State has undertaken that they would also make a specific note in every promotion order to the effect that the said promotion order would be subject to the decision of the present writ petitions and the State would abide by the same.”*

4. The present contempt petition has been filed for disobedience of above referred order, wherein, the respondent-State was permitted to proceed with the further promotion in accordance with the impugned instructions, whereby, reservation in promotion in all the cadres of Group ‘A’ and ‘B’ posts to the employees belonging to the Scheduled Castes to the extent of 20% of the sanctioned posts of promotional quota subject to the terms and conditions mentioned therein is provided and further this Court observed that the same would be subject to the decision in CWP-24608-2023, titled as “Kamaljeet Singh and others Vs. State of Haryana and others”.

5. The respondent filed compliance/reply dated 08.05.2025 in response to order dated 28.11.2023.

6. The relevant para 5 and 6 of the compliance report dated 08.05.2025, is reproduced as under:-

*“5. That it is also pertinent to mention here that the above said CWP No. 24608 of 2023 titled as Sandeep Kumar Vs. Anurag Agarwal and another came up for hearing and finally decided by this Hon'ble Court vide judgement dated 01.04.2025. The operative part of the said judgement is as under:-*

*"This Court finds that respondent has duly complied with attributes of Article 16(4A) of the Constitution of India as well as law laid down by the Apex Court, thus, impugned instructions dated 07.10.2023 (Annexure P-2) are valid and hereby upheld. Nevertheless, the respondent shall exclude*



*employees belonging to creamy layer before implementing impugned instructions."*

*6. That thus, on the final disposal of above said CWP, the interim order dated 28.11.2023 have no more in existence, moreover the respondent department has already kept the post vacant in view of the interim order dated 28.11.2023 and presently 03 Nos. post of Superintending Engineers are lying vacant (02 already exist and one recently arised on the retirement of Sh. Ramesh Kumar, SE on dated 31.03.2025). The Hon'ble Court vide its order dated 01.04.2025 has upheld the instructions dated 07.10.2023 and also directed to exclude the employees belonging to creamy layer before implementing impugned instructions, this is for kind perusal of this Hon'ble High Court."*

7. A perusal of above referred para 5 and 6 shows that the CWP-24608-2023, titled as "Kamaljeet Singh and others Vs. State of Haryana and others" was decided along with other connected writ petitions, wherein, the instructions dated 07.10.2023 were challenged and this Court decided the writ petition by holding that the impugned instructions dated 07.10.2023 to be valid and upheld the same. This Court while upholding the instructions further directed the respondent-State to exclude the employees belonging to creamy layers before implementing the instructions. After the decision of the writ petition, order dated 28.11.2023 merges in the final judgment dated 01.04.2025, whereby, fresh directions are issued by this Court to exclude the employees belonging to the creamy layers before implementing the instructions, therefore, CWP-24608-2023, titled as "Kamaljeet Singh and others Vs. State of Haryana and others", was decided on 01.04.2025 and order dated 28.11.2023 merged into the judgment dated 01.04.2025.

8. Otherwise also, vide order dated 28.11.2023, this Court though permitted the State to proceed with the promotions in accordance with the



instructions and these were not the directions rather permission and that too subject to the decision of the writ petition and since on 01.04.2025 the writ petition was finally decided and further directions were issued to the respondent-State to exclude the employees belonging to the creamy layer before implementing the impugned instructions, therefore, as on date no contempt is made out.

9. Hence, the present petition is dismissed. The contempt is purged and rule is discharged.

**August 06<sup>th</sup>, 2025**

*Ayub*

**(SUDEEPTI SHARMA)  
JUDGE**

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