

2025:PHHC:096906



159 IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

COCP-4777-2024 (O&M)  
Decided on:-31.07.2025

Dr. Harneet Kaur

....Petitioner..

vs.

Sh. Vinod Khanna, President Managing  
Committee and another

....Respondents.

**CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Rohit Dheer, Advocate  
for the petitioner.

Mr. R.K. Arora, Advocate with  
Mr. Jugam Arora, Advocate,  
for the respondents.

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**HARKESH MANUJA J. (Oral)**

1. By way of present petition, prayer has been made for initiation of contempt proceedings against respondents for the alleged willful non-compliance of the order dated 23.01.2018 passed by the Writ Court. The operative part thereof is reproduced hereunder:-

*“In view of aforesaid undisputed facts, the respondent-Lecturer cannot be deprived from his valuable right of salary because of any fault on the part of college. She had worked during the entire period as lecturer and she was competent for the post in question. The letter signed by her at the most could deprive her from UGC scales up to 30.06.2003 and not thereafter, nevertheless, I am of the considered opinion that the respondent is entitled to salary as per UGC pay scale from the date of joining because there is mass level unemployment among the highly educated persons and*

*employers are misusing their position and depriving the candidates from their actual salary. A letter or an agreement contrary to terms and conditions of advertisement as well as rules and regulations of university cannot bind a candidate, therefore, said letter has no authenticity in the eye of law. The petitioner was appointed against a regular post and as per advertisement, selected candidate was eligible to UGC pay scale. Therefore, the respondent-Lecturer is entitled to UGC pay scale from the date of her joining i.e. 17.10.2002 and accordingly, petitioner-college is directed to make payment of arrears within six months from the date of receipt of certified copy of this order.*

*In view of aforesaid findings, present petition deserves to be dismissed and accordingly dismissed. No order as to cost.”*

2. The aforesaid order was assailed in an intra-court appeal bearing LPA-1110-2018, which was disposed of vide decision dated 21.09.2018. The operative portion thereof is extracted hereunder:-

*“In view of the above facts, we are also of the considered opinion that once the appointment of respondent No.2 in the appellant-institution relates back to the waiting list, which was prepared after following due procedure, her appointment would be a regular appointment and she would be entitled to payment of salary, which is admissible to the said post. Neither the Education Tribunal nor the learned Single Judge have committed any illegality in taking the said view.*

*In view of the aforesaid facts and circumstances, since there is no infirmity in the impugned judgment of the learned Single Judge, the same does not require any interference. The appeal being devoid of merit accordingly stands dismissed.”*

3. Previously, contempt petition bearing COCP-88-2019 came to be filed at the instance of petitioner, however, the same was disposed of

vide order dated 05.11.2019 with liberty to the petitioner to revive the contempt petition. Thereafter, revival application was filed at the instance of petitioner, which was decided on 03.02.2023 by this Court in the following manner:-

*“Learned counsel for the respondents has placed on record copy of the communication dated 23.01.2023, vide which total claim of .12,95,750/- is paid towards UGC pay scale from 17.10.2002 to 28.01.2014.*

*In view of the above, present application praying for revival of the main petition is rendered as infructuous.*

*Liberty is granted to the applicant-petitioner to challenge action of the respondents, in accordance with law, if so advised.*

*Pending miscellaneous application(s), if any, shall also be disposed of.”*

4. I have heard learned counsel for the parties and gone through the paper book.

5. In view of the fact that the previous revival application was disposed of while granting liberty to the petitioner to challenge the action of the respondents in accordance with law, fresh contempt petition cannot be entertained being an abuse of process of law. Accordingly, the present petition stands disposed of. Rule stands discharged.

6. Pending applications, if any, also stand disposed of.

31.07.2025  
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**(HARKESH MANUJA)**  
**JUDGE**

Whether speaking/reasoned:  
Whether reportable:

Yes/No  
Yes/ No