



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

203-2

COCP-629-2025

Date of Decision: August 22<sup>nd</sup>, 2025

Sanjeev Kumar

.....Petitioner

Vs.

Amrit Mohan Prasad

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA**

Present: Mr. Navdeep Singh, Advocate with  
Ms. Roopan Atwal, Advocate  
for the petitioner.

Ms. Anita Balyan, Advocate for respondent.

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**SUDEEPTI SHARMA J. (Oral)**

1. The present contempt petition is for willful and intentional non-compliance of the order dated 04.12.2017 passed in CWP-11928-2018.
2. The relevant portion of order dated 04.12.2017 is reproduced as under:-

*“Counsel for the petitioner contends that the dispute is already covered by a Division Bench judgment of this Court in LPA No. 349 of 2018 titled as **"Union of India and others versus Som Dutt"** decided on 24.11.2022.*

*Even though counsel for the respondent raises certain factual disputes, however, he does not controvert the fact that the ratio of the aforesaid LPA Bench would be applicable to the present case as well.*

*Be that as it may, once the ratio of the above said Division Bench judgment dated 24.11.2022 in LPA No. 349 of 2018 titled as **"Union of India and others versus***



*Som Dutt" is applicable, the present writ petition deserves to be disposed of in same terms on the principles of parity.*

*Disposed of in terms of judgment dated 24.11.2022 (supra)."*

3. The relevant portion of the order dated 24.11.2022 passed by Division Bench of this Court in LPA-349-2018 is reproduced as under:-

*"We are, thus, of the considered opinion that the learned Single Judge as well justified to hold that the charge as such was never proved. We are also of the considered opinion that the defence as such that the amount had been received from the relatives and the father on account of an ailment was never even considered and the Commandant sat with closed eyes and in hell bent manner to dismiss the person within one and half hours without any justifiable reasons and with a pre determined mind.*

*Accordingly, we do not feel it as a fit case for interference and the present letters patent appeal stands dismissed."*

4. Learned counsel for respondent contends that in compliance of order dated 04.12.2017, compliance report by way of short affidavit of Mr. Vinod Kumar Talwar, Commandant (Pers-II), Office of Directorate General, FH, SSB, East Block -V, R.K. Puram, New Delhi, dated 13.03.2025 along with Annexure R-1 to R-3, has been filed, which is attached with the present petition.



5. The relevant para of affidavit dated 13.03.2025 are reproduced as under:-

*“5. That it is submitted that in compliance of the direction of the Hon'ble Court, CT(GD) Sanjeev Kumar was reinstated in Government service with effect from 14.11.2023 (Forenoon). Hence, in accordance with the provisions contained under Rule-25 of CCS (Pension)Rules, 2021 read with FR-54, 54 (A), 54 (B) and GOI Order's No. 3(I) below FR-54 (B), he will not draw any pay & allowances for the period of interruption in service b/w the date of dismissal and the date of his reinstatement (absent period from service) w.e.f 25.09.2015 to 13.11.2023, total 2970 days regularized as "Dies non" on the principle of "No Work No Pay". However, past service rendered by him before dismissal i.e. 25.09.2015 will not be forfeited. Further, vide this office Order No. I/Estt/PF/SK/DTBC/2023/2156-69 dated 13.03.2024, the period of interruption in service b/w the date of dismissal and the date of his reinstatement (absent period from service) w.e.f 25.09.2015 to 13.11.2023 has been regularized as Dies-Non on the principle of "No Work No Pay". A Copy of Office Order dated 13.03.2024 is annexed as Annexure R-2 herewith.”*

6. A perusal of affidavit dated 13.03.2025, shows that dated 04.12.2017 passed in CWP-11928-2018, has been complied with. This fact is not disputed by the learned counsel for the petitioners.

7. In view of the same contempt is purged and rule is discharged.

8. Needless to say that the petitioner can avail the remedy as is available to him in accordance with law to challenge the speaking order dated 13.03.2024.

**August 22<sup>nd</sup>, 2025**

*Sahil*

**(SUDEEPTI SHARMA)**

**JUDGE**

*Whether speaking/reasoned : Yes/No*

*Whether reportable : Yes/No*