

Jagtar Singh and Ors.

...Petitioners

Versus

Baldev Singh Sran and another

....Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. B.S. Patwalia, Advocate for the petitioners.
Mr. Sahil Sharma, Advocate for the respondents.

B.S. Walia, J. (Oral)

[1] Prayer in the petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondents for intentional and willful defiance of orders, Annexure P/5 dated 31.10.2018 in CWP No.28629 of 2017.

[2] A perusal of orders, Annexure P/5 dated 31.10.2018 reveals that CWP No.28629 of 2017 was allowed by taking note of the grievance of the petitioners that it was the duty of the respondents to prepare the correct seniority list within three months of receipt of certified copy of the order.

[3] Learned Counsel contends that the instant petition was filed on account of failure of the respondents to do the needful, but, during the pendency of the petition, needful has been done in terms of orders, Annexure P/5 dated 31.10.2018 in CWP No.28629 of 2017 and seniority list has been finalized by the respondents. Learned Counsel contends that now the only issue is with regard to grant of notional pay fixation for

which he prays for permission to take out appropriate proceedings in accordance with law.

[4] The same is not opposed to by learned counsel for the respondents.

[5] Accordingly, in the light of the position noted above as well as statement of learned counsel for the petitioners, the contempt petition is disposed of as not calling for any action against the respondents under the Contempt of Courts Act, 1971 while granting liberty to the petitioners to take out appropriate proceedings in accordance with law for granting consequential benefits as a result of re-fixation of seniority.

[6] Rule discharged.

(B.S. Walia)
Judge

09.03.2022

'Amit'

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