

COCP No. 1193 of 2018

DECIDED ON: SEPTEMBER 06, 2019

RAKESH KUMAR AND ANOTHER

.....PETITIONERS

VERSUS

RAJNARAYAN KAUSHIK

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. S.K. Yadav, Advocate
for the petitioners.

Mr. Sandeep S. Mann, Sr. DAG, Haryana.

AVNEESH JHINGAN, J (ORAL)

The present contempt petition has been filed pleading wilful disobedience of the order dated 22.01.2018 passed in CWP No. 1114 of 2018.

The operational part of the order is quoted below:-

“ That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and decide the claim of the petitioners as also the legal notices dated 3.10.2017 (Annexure P-2) and 10.11.2017 (Annexure P-3) within a period of eight weeks from the receipt of certified copy of this order. And pass appropriate orders in accordance with law. In the event, the claim of the petitioners is declined, the authority shall pass a comprehensive order assigning reasons in support thereof.”

Learned State counsel has filed a short reply by way of an affidavit of Sh. Maheshwar Sharma, Director Elementary Education Haryana, annexing the orders dated 09.04.2018 and 04.06.2019. Reply is taken on record, copy

handed over to the counsel for the petitioners. As per the reply, the claim of the petitioners have been rejected.

Learned State counsel submits that the costs of ₹5000/- has been deposited.

In view of afore-said reply, learned counsel for the petitioners submits that no cause of action survives for pursuing the present petition. However, he seeks liberty to avail remedy in accordance with law against the orders dated 09.04.2018 and 04.06.2019.

Disposed of as infructuous with liberty as prayed for.

Rule issued against the respondent stands discharged.

SEPTEMBER 06, 2019
sham

(AVNEESH JHINGAN)
JUDGE

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