

Dinesh Kumar ...Petitioner

Versus

A.K. Singh, IAS and Ors.Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Ramesh Goyat, Advocate for the petitioner.
Mr. Manish Dadwal, AAG, Haryana.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiating action against the respondents for intentional and willful defiance of order, Annexure P/1 dated 04.02.2022 in CWP No.29791 of 2018 in case titled as Dinesh Kumar vs. State of Haryana and Ors.

[2] A perusal of order Annexure P/1 reveals that CWP No. 29791 of 2018 was allowed with all consequential benefits and the petitioner was deemed to be in continuous service since appointment in January 1996, therefore, entitled to regularization as per policy Annexure P/4 (colly.) but benefits in terms of decision Annexure P/1 have not been released to the petitioner, therefore, the respondents are liable to be proceeded against under the Contempt of Courts Act, 1971.

[3] Per contra, leaned AAG has produced copy of order dated 25.08.2022 passed by Hon'ble the Division Bench in LPA No.713 of 2022 staying the operation of the impugned order and judgment dated 04.02.2022 (Annexure P/1). The same is taken on record. Copy thereof supplied to learned counsel for the petitioner who on perusal thereof

states that in the circumstances the petitioner does not press the instant petition at this stage and may be permitted to withdraw the same with liberty to move an application for revival of the instant petition.

[4] Accordingly, in view of the position noted above, as well as statement of learned counsel for the petitioner, the instant 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 petitioner to move an application for revival of the contempt petition in the eventuality of dismissal of LPA or modification of order dated 25.08.2022.

[5] Rule discharged.

(B.S. Walia)
Judge

05.09.2022

'Amit'

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