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

**COCP-2969-2023 (O&M)
Date of Decision: 25.08.2025**

Amrik Singh

.....Petitioner

Vs.

Dilraj Singh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Ishan Chopra, Advocate, for
Mr. Krishan Singh Dadwal, Advocate,
for the petitioner.

Mr. Animesh Sharma, Addl. A.G., Punjab,
for the respondents.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 23.03.2023 passed by the Co-ordinate Bench of this Court in CWP-27064-2015, which was disposed of in terms of CWP-24334-2015 titled as "Smt. Avtar Kaur Vs. State of Punjab and another".

2. The Co-ordinate Bench of this Court had issued the following directions, vide its order dated 23.03.2023, in CWP-24334-2015:-

*"7. This issue has already been addressed in **Kapil Dev's case (supra)**, which is extracted as under:-*

12. Now, the crucial question arises as to "What is the appropriate relief which should be granted to the parties in the peculiar facts of the case?" As already noticed, majority of the petitioners as well



as the private respondents, on attaining the age of superannuation, have already retired. In Saroj Rani's case (supra), the Supreme Court directed that those incumbents who have worked on the post of Assistants/Senior Assistants on account of the promotional orders in their favour and subsequently, they have to be reverted or have been reverted back to their original post, then, the salary or the consequential amount paid to them shall not be recovered. Similarly, if any such employee gets promotion to the post of Assistant/Senior Assistant from an earlier date, he/she shall not be entitled to any arrears of salary. Thus, akin to the facts in which the interim order was passed by the Supreme Court, the petitioners have worked on the post of Assistant/Senior Assistant and have already retired in the present case. Hence, it would not be appropriate to permit the State of Punjab to effect any recovery from them at this stage. The question is "Whether the State should be permitted to refix their salary which would result in reduction of their pensionary benefits?" In the facts of the case, this Court is of the considered view that such a course of action shall not be a viable solution.

13. Keeping in view the aforesaid facts, it is ordered that neither there shall be any recovery on account of change in the date of promotion nor the private respondents who have not worked on the posts shall be entitled to any such salary. However, they shall be granted the notional consequential reliefs including the retiral benefits, which shall be paid to them. In other words, no recovery shall be made from the retirees as a consequence of this judgment. Further, no arrears of salary for the period for which the private respondents, in fact, never worked shall be payable to them. However, the said period shall be counted notionally for the purpose of enhancing their retiral/pensionary benefits, if any. This exercise should be completed, positively, within a period of three months from today."

8. Keeping in view the aforesaid facts and discussion, this Court is of the view that the ends of justice will be



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met if the writ petitions are disposed of in the same terms.”

3. In compliance of the order dated 23.03.2023, reply by way of affidavit dated 18.12.2023 of Moneesh Kumar, Director State Transport, Punjab, has been filed on behalf of respondent No.2, which is taken on record. The relevant portion of the said reply is reproduced as under:-

“4. That in light of order dated 23.03.2023 passed by this Hon’ble High Court in CWP No.24334 of 2015, the competent authority i.e. respondent No.1 in due compliance of the above said order passed the speaking order dated 21.07.2023 Annexure P-3 and copy of the same is send to the office of the deponent to taking necessary action. After receiving the above said order the deponent had issued the direction to the concerned General Manager of depot from which the petitioner has retired to, for taking further action as required. The General Manager, Punjab, Roadways, Ludhiana passed the Speaking Order No.14164-67/ECM dated 14.12.2023. The copy of the same is attached herewith as Annexure R-1”

4. Learned counsel for the respondents contends that in compliance of order dated 23.03.2023 passed by learned Single Bench, speaking order dated 14.12.2023 (Annexure R-1) has been passed by the General Manager, Punjab Roadways Ludhiana. The said order dated 14.12.2023 is taken on record and a copy thereof has been supplied to the learned counsel for the petitioner, who does not dispute the same.

5. In view of the above, the contempt is purged and rule stands discharged. Needless to say that petitioner can avail any other remedy as is available to him in accordance with law to challenge the speaking order



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dated 14.12.2023 passed by the General Manager, Punjab Roadways Ludhiana.

6. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

25.08.2025

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No