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

**COCP-3472-2025 (O&M)
Date of Decision: 24.09.2025**

Nitu @ Neetu Singh and others

.....Petitioners

Vs.

Sh. Priyank Bharti and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Pawan Kumar Mutneja, Senior Advocate, with
Mr. Viranjeet Singh Mahal, Advocate,
for the petitioners.

Mr. Ravneet S. Joshi, DAG, Punjab,
for the respondents.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 26.02.2024 passed by this Court in CWP-30881-2018.

2. This Court had issued the following directions in CWP-30881-2018, vide its order dated 26.02.2024:-

“47. In the wake of above discussion and findings, this Court comes to conclusion as below:

- i) This Court in the normal course cannot ask State to create or sanction posts.*
- ii) The petitioners who had completed service of 10 years by the end of December ' 2006, either at present are in service or have already retired, are entitled to regular post and they cannot be denied regularization on the ground of lack of sanctioned post or minimum*



education qualification. To avoid burden on State exchequer, it is clarified that from the deemed date of their regularization, they shall be entitled to minimum of pay scale plus dearness allowance and grade pay till the date of this order and thereafter regular pay scale.

- iii) The petitioners who are still in service but did not complete service of 10 years by the end of December' 2006 would form part of dying cadre created by 2023 Policy. The State, in view of long service of these employees, would not insist for minimum qualification. They from the date of completing service of 10 years would be entitled to minimum of pay scale plus dearness allowance plus grade pay till the date they are regularized in terms of 2023 Policy.*
- iv) The petitioners who did not complete service of 10 years by the end of December' 2006 and during the pendency of present litigation have superannuated or passed away would be entitled to minimum of pay scale plus dearness allowance and grade pay from the date of completing service of 10 years till the date of their retirement or death.*
- v) The petitioners who have already been regularized by 31.12.2016 shall not be entitled to any additional financial benefit because they are already getting higher amount of salary for last couple of years.*
- vi) The respondent-State shall not be liable to pay interest on arrears arising on account of re-fixation of pay.*

48. All the petitions are hereby disposed of in terms of conclusion drawn hereinabove.

49. The litigation is pending before this Court for last more than two decades. Many workers have passed away or superannuated. This Court hopes and trusts that State without waiting demise or superannuation of surviving petitioners would extend their due claim and in any case within 6 months from today."

3. In compliance of the order dated 26.02.2024 passed by this Court in CWP-30881-2018, short reply by way of affidavit dated 17.09.2025



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of Sh. Dharminder Sharma, IFS, Principal Chief Conservator of Forest (HoFF), Punjab Forest Department, Punjab, along with Annexure R-1, has been filed on behalf of respondent No.2 before the Registry. The same is taken on record. The relevant portion of the said compliance report is reproduced as under:-

“7. That in due compliance of the order of the Hon'ble High Court, the case of the petitioners has been duly taken into consideration in every aspect in the wake of the policy/instructions dated 16.05.2023. It has come to light that as per the record, the petitioners No.1, 2 & 3 have not completed 10 years of continuous service as on 16.05.2023. The petitioner No.1-Neetu Singh S/o Modan Singh has notional break in the year 2015-16; petitioner No.2- Chhota Singh S/o Jagga Singh has notional break in the year 2015-16 and petitioner No.3- Amrik Singh S/o Puran Singh has notional break in the year 2015-16, 2020-21 as per final seniority list of State.

In the light of the terms and conditions as enumerated in the policy dated 16.05.2023, the petitioners are not suitable/ineligible for the benefits of 2023 Policy since they have not worked continuously for 10 years as on 16.05.2023. Thus, the petitioners do not fall within the ambit of the policy/instructions dated 16.05.2023.

*8. That therefore, a Speaking Order bearing Endst. No.11937-944 dated 08.11.2024 has been duly passed by Divisional Forest Officer, Patiala strictly in compliance of the order dated 26.02.2024 passed by the Hon'ble High Court, whereby, it has been decided that the claim to regularize the services of the applicants/petitioners is not tenable on account of non-fulfillment of requirements as envisaged in the policy/instructions dated 16.05.2023 as the petitioners have not worked continuously for the period of 10 years as required under the policy/instructions of the Government. True copy of the speaking order dated 08.11.2024 is attached herewith as **Annexure R-1**. Even, the speaking order was duly conveyed to the petitioners vide Endst. No. 11942-11944 dated 08.11.2024 and despite having due knowledge*



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about the speaking order, the present petitioners have resorted to the present contempt petition.”

4. A perusal of the above shows that in compliance of the order dated 26.02.2024 passed by this Court in CWP-30881-2018, a speaking order dated 08.11.2024 (Annexure R-1) has been passed by respondent No.2. A copy thereof has been supplied to the learned counsel for the petitioners, who does not dispute the same.

5. In view of the above, since order dated 26.02.2024 passed by this Court in CWP-30881-2018, has already been complied with, therefore, the present contempt is purged and rule stands discharged.

6. Needless to say that the petitioners are at liberty to avail remedy as is available to them in accordance with law to challenge the speaking order dated 08.11.2024 (Annexure R-1) passed by respondent No.2.

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

(SUDEEPTI SHARMA)
JUDGE

24.09.2025

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No