

(2020) 08 SHI CK 0049
In the High Court Of Himachal Pradesh
Case No : COPC(T) No. 1126 Of 2020

Davinder Chauhan

APPELLANT

Vs

J.C. Sharma And Others

RESPONDENT

Date of Decision : 10-08-2020

Acts Referred:

Contempt Of Courts Act, 1971 — Section 10

Citation : (2020) 08 SHI CK 0049

Hon'ble Judges : Sandeep Sharma, J

Bench : Single Bench

Advocate : Sunil Mohan Goel, Arvind Sharma

Judgement

Sandeep Sharma, J

1. By way of present petition filed under S 10 of the Contempt of Courts Act, 1971, prayer has been made on behalf of the petitioner to initiate

contempt proceedings against the respondents for willful and deliberate disobedience of order dated 18.12.2017 passed by erstwhile Himachal Pradesh

Administrative Tribunal in TA No. 2708 of 2015, titled Davinder Chauhan vs. State of Himachal Pradesh and others, which has been further upheld by

this Court in CWP No. 901 of 2019, decided on 29.5.2019.

2. Having heard learned counsel for the parties and perused the material available on record, this Court finds that TA No. 2708 of 2015 having been

filed by the petitioner came to be allowed vide order dated 18.12.2017 passed by erstwhile Himachal Pradesh Administrative Tribunal, whereby

learned Tribunal below, while setting aside corrigendum dated 1.2.2012 directed the respondents to regularize the services of the petitioner as

Complaint Attendant/Receptionist with effect from 1.1.2002, with all

consequential benefits, within three months from the date of production of a certified copy of order. Being aggrieved by the order passed by learned Tribunal below, State preferred CWP No. 901 of 2019 in this Hon'ble Court.

Division Bench of this Court vide judgment dated 29.5.2019, dismissed the aforesaid writ petition, as a consequence of which, order dated 18.12.2017

passed by Himachal Pradesh Administrative Tribunal in TA No. 2708 of 2015 came to be upheld. Since no steps, if any, ever came to be taken by the

respondents for implementation of order passed by Himachal Pradesh Administrative Tribunal, petitioner has approached this Court in the instant

proceedings, praying therein for initiation of appropriate proceedings against the respondents.

3. Learned Additional Advocate General, fairly states that since order alleged to have been violated has attained finality, respondents have no option

but to implement the same. He states that though he has every reason to believe that by now order in question must have been complied with, but if

not, same will be complied within three weeks.

4. Having taken note of the fair stand adopted by learned Additional Advocate General, this Court sees no reason to keep the present proceedings

alive and same are closed with a direction to the respondents to do the needful, if not already done, in terms of order in question, within a period of

three weeks from today. Needless to say, petitioner shall be at liberty to get the contempt petition revived, in case, respondents fail to comply with the

order in question, so that appropriate action is taken against the erring officials. Notices issued to the respondents are discharged.