
(2010) 10 SHI CK 0095
In the High Court Of Himachal Pradesh
Case No : C.O.P.C. (T) No. 88 of 2008

Rakesh Kumar

APPELLANT

Vs

Narinder Chauhan and Another

RESPONDENT

Date of Decision : 04-10-2010

Acts Referred:

Citation : (2010) 10 SHI CK 0095

Hon'ble Judges : Kurian Joseph, C.J;Kuldip Singh, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The complaint is regarding non-implementation of order passed by the erstwhile Tribunal on 25.4.2005. In the reply at paragraphs 2 & 3, it is stated as follows:

2. That the replying respondent/contemnor made sincere efforts to solve the matter regarding implementation of orders of this Hon"ble Tribunal vide dated 25.4.2005, but could not succeed due to limited numbers of sanctioned posts of sweepers in the department. Even large numbers of part time sweepers who are senior to the applicant could not be regularized.

3. That the H.P. Govt. with the special concession gave one time relaxation to regularize 170 class-IV and 93 sweepers from amongst the working part time class-IV/ part time sweeper on seniority basis. As per the seniority list of both the categories the candidates those appointed as part time Class-IV upto June 1995 and part time sweepers upto 2.6.88 could be regularized in accordance with the available vacancies for regularization and as per the provisions of R & P Rules of both category. Since, the applicant was appointed on 6.2.89 and hence could not find place in the list of candidates for regularization.

2. From the reply, it is seen that the matter was in consideration of the government and there was no willful or deliberate disobedience on the part of the respondents in non-implementing the orders. Therefore, this COPC is dismissed without prejudice to liberty of the petitioner to pursue his grievance, if any, in

appropriate proceedings.