

(2006) 09 P&H CK 0058
In the Punjab And Haryana At Chandigarh
Case No : COCP No. 340 of 2006

Tara Singh and Others

APPELLANT

Vs

Shri A.K. Dubey, IAS and Others

RESPONDENT

Date of Decision : 01-09-2006

Acts Referred:

Citation : (2006) 09 P&H CK 0058

Hon'ble Judges : Surya Kant, J

Bench : Single Bench

Advocate : R.K. Arora, for the Appellant; G.S. Cheema, Sr. Dy. A.G., for the Respondent

Judgement

Surya Kant, J.—The petitioners approached this Court by way of CWP No. 16997 of 2001 which was allowed vide order dated 21.11.2003 and a direction was issued to confirm them as Head Constables with effect from the dates their juniors were confirmed and then to consider them for promotion from the year 1988-89.

2. Alleging non-compliance of the aforesaid order, this contempt petition has been filed.

3. In response to the show cause notice, the respondents put in appearance and the matter was heard at length. Thereafter, having realized that the directions issued by this Court were not properly complied with, the respondents have done the exercise and an additional affidavit dated 4th May, 2006 has been placed on record along with copy of an order dated 2nd May, 2006 passed by the Director General of Police, Punjab whereby the petitioners have been confirmed as Head Constables retrospectively and have also been promoted to the rank of ASI from the due date. Learned Counsel for the petitioners, however, contends that neither the consequential arrears of pay, as a result of retrospective promotion, have been paid to the petitioners nor are they being paid salary of the promotional post even after their promotions vide order dated 2nd May, 2006.

4. After hearing Learned Counsel for the parties and having regard to the fact that the directions issued by this Court have been substantially complied with, this petition is disposed of with a direction to the respondents to grant the promotional pay scale to the petitioners forthwith and to release their salary in that pay scale, if already not granted.

5. As regards to the consequential arrears on account of retrospective promotion, liberty is granted to the petitioners to raise this claim before an appropriate forum, if so advised.

6. Rule discharged.