**SURESH AHLAWAT Chamber No.62**

**ADVOCATE**

**PUB. & HAR. HIGH COURT**

**CHANDIGARH**  **Mob No. 94171-11917**

**---------------------------------------------------------------------------------------------------**

Ref.No**.** Dated: . 2021

1. Engineer-in- Chief , Irrigation & Water Resources Department, Haryana, Sinchai Bhawan,Sector-5, Panchkula
2. Superintending Engineer, Y.W.S. Circle, Jind.
3. Executive Engineer ,Jind W/S Division. Jind.

Sub:- Legal Notice in the matter of reversion from the post of Earth Work Mistri to the post of Beldar

Respected Sir,

1. I has been instructed on behalf of my client Raj Singh presently posted as Work Earth Mistri in the office Executive Engineer ,Jind W/S Division. Jind.

To serve upon you the following legal-cum-Final Demand Notice of Civil Writ Petition for the redressal of grievances of my client.

1. That my client joined your department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as Beldar . Than on 20.10.2010 he was promoted from the post of Beldar to Work Earth Mistri .
2. That, now due to family circumstances, my client want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar.
3. It is, therefore, prayed from you that in view of above situation kindly reversion to my client from the post of Earth Work Mistri to the post of Beldar within ONE MONTH from the receipt of this legal notice failing which my client will be constrained to approach the court of competent jurisdiction to get these and in that eventuality you will be liable for all the consequences including litigation expenses also.

Note:- A copy of this legal notice is retained in my office for further necessary action.

SURESH AHLAWAT

ADVOCATE

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

C.W.P no. 22844 of 2021

Memo of Parties

Raj Singh (age about 56 years) son of Sh. Jagdish Chander residence of Quarter no. J-1 Canal Colony Jind presently posted as Earth Work Mistri in the office Executive Engineer, Water Services Division (Irrigation Department) Jind.

VERSUS

1. Financial Commissioner –cum –Addl. Chief Secretary, to Govt. of Haryana, Irrigation & Water Resources Department, Haryana Civil Secretariat, Sector-17 ,Chandigarh

2. Engineer-in- Chief , Irrigation & Water Resources Department, Haryana,

Sinchai Bhawan,Sector-5, Panchkula.

1. Superintending Engineer, Y.W.S. Circle, Jind.

4. Executive Engineer ,Jind Water Services Division, Irrigation & Water Resources department . Jind.

**CHANDIGARH (SURESH AHLAWAT)**

**DATED: 30.10.2021 ADVOCATE**

**COUNSEL FOR THE PETITIONER**

Civil Writ Petition under Articles 226/227 of the Constitution of India praying for the issuance of a writ in the nature of Mandamus directing the respondents to revert the petitioner from the post of Earth Work Mistri to the post of Beldar ( irrigation department).

Any other appropriate writ, order or direction to which this Hon’ble High Court may deem fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner.

*RESPECTFULLY SHOWETH*

1. **That** the petitioner is a resident of District Jind (Haryana) and as such being a citizen of India, he is fully competent to invoke the extraordinary writ jurisdiction of this Hon’ble Court under Article 226/227 of the Constitution of India by way of the present writ petition.
2. That petitioner joined the respondents/ department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as regular Beldar further he was promoted as Earth work Mistri from the post of Baldar vide order dated 21.10.2010 and joined on promotional post on 11.11.2010. True copy of the joining report dated 11.11.2010 of promotional post (Earth Work Mistri) of the petitioner is attached herewith as **Annexure P-1.**
3. That petitioner is presently working as regular Work Earth Mistri in irrigation department , which he is holding and serving the department as such till date to the utmost satisfaction of the superiors with missionary zeal and having blotless record of his entire service career . Petitioner also granted third ACP (Assured Career Progress) Scale on 1.4.2017 after completing his 24 years regular and satisfactory services. A true copy of letter dated 26.5.2018 of 3rd ACP scale is granted to the petitioner is attached herewith as **Annexure P-2.**
4. That, now due to family circumstances, petitioner want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar. Same controversy arose in identical matter wherein one applicant who was working as Assistant in the office of the SDO (C) made a request to the Commissioner , Rohtak Division that he may be reverted from the post of Assistant to the post of Clerk, due to family circumstances lastly office of Commissioner, Rohtak Division accepted his prayer and he was degraded /reverted from the post of Assistant to the post of Clerk vide order dated 24.3.2017. After some time that person approached to this Hon,ble High Court on 16.7.2021 vide C.W.P. No 12956 of 2021 that, now there are 10/12 post of Assistants are pending, he may be promoted from the post of clerk to the post of Assistants .Than Hon,ble Court disposed of this petition and directed to the respondents to decide the pending representation of the petitioner . True Copies of reversion order dated 24.3.2017 of that person and order dated 16.7.2021 passed in CWP No 12956 of 2021 are attached herewith as **Annexure P-3.**
5. **That** Petitioner approach to the respondents many times to reversion from the post of Earth Work Mistri to the post of Beldar but all in vain . Then finally petitioner send the legal notice on 7.9.2021 through his counsel to the respondents to implement his prayer .But the respondents not responding regarding this till date. Copy of legal notice dated 7.9.2021 sent by the petitioner to the respondents is attached here with as **Annexure P-4.**

**6 That** the following main law points arise in this writ petition for the kind consideration of this Hon’ble Court:-

a) Whether the action of the respondents is arbitrary and discriminatory which violative of Articles 14 and 16 of the Constitution of India?

b) Whether a grave manifest injustice has been caused to the petitioner?

**7.** That there is no other alternative remedy of appeal or revision available to the petitioner except to approach this Hon’ble Court by way of the present writ petition under Article 226 of the Constitution of India.

**8.**  That the petitioner has not so far filed any such or similar writ petition either in this Hon’ble Court or in the Hon’ble Supreme Court of India for seeking the same relief against the impugned action of the respondents.

PRAYER

It is, therefore, respectfully prayed that this Hon’ble Court may be pleased to call for the records of the present case and after perusal thereof may be pleased to issue: -

i) a writ in the nature of Mandamus directing the respondents to revert the petitioner from the post of Earth Work Mistri to the post of Beldar (Irrigation department).

ii) Any other appropriate writ, order or direction to which this Hon’ble High Court may deem fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner.

iii) Filing of true typed of annexures s and certified copies of annexures be also dispensed with;

CHANDIGARH Through Counsel:-

*Dated:- (SURESH AHLAWAT)*

*VERIFICATION Advocate*

Verified that the contents of Para No. 1 to 5 and 7 and 8 of the writ petition are true and correct to my knowledge. Legal submissions made in para Nos. 6 are believed to be true on the advice received from the learned Counsel. No part of it is false and nothing has been kept concealed there from.

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

IN C.W.P. NO. OF 2021

Raj Singh …………. Petitioner

State of Haryana and others ……………Respondents

Affidavit Raj Singh son of Sh. Jagdish Chander presently posted as Earth Work Mistri in the office Executive Engineer,Water Services Jind.

I , the above named deponent do hereby solemnly affirm and declare on oath as under: -

1. That the deponent has gone through the contents of the accompanying petition which have been drafted by the counsel on my instructions. The contents of the same are admitted to be true and correct and be read as part and parcel of this affidavit.

2. That no such or similar petition has earlier been filed either before this Hon,ble Court or Hon,ble Supreme Court.

DATED :- 11. 2021

CHANDIGARH

*VERIFICATION*

Verified that the contents of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been kept concealed therein.

CHANDIGARH

DATED 11 .2021

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

C.W.P NO. OF 2021

Raj Singh …………. Petitioner

Versus

State of Haryana and others. ……………Respondents

*TOTAL AMOUNT OF COURT FEE AFFIXED*

CHANDIGARH (SURESH AHLAWAT)

DATED : 30 .10.2021 ADVOCATE

COUNSEL FOR THE PETITIONER

**Office of the Commissioner Rohtak Division, Rohtak**

ORDER

Sh. Ranbir Singh, Assistant office of the Deputy Commissioner, Panipat, presently posted in the office of SDO (Civil) ,Panipat is hereby reverted back to post of Clerk on his request subject to the conditions laid down under Rule 14 of the Haryana Civil Services ( Assured Career Progression) Rules-2006. After his reversion , he will join the post of Clerk in his parent office /district cadre.

24.3.2017 Sd/-

Commissioner. Rohtak Division

Rohtak

No.EA-3/3567-**69 Dated 24.3.2017**

A copy is forwarded to the following for information and necessary

Action/compliance-

A copy is forwarded to the following for information and necessary action/compliance:-

* 1. Deputy Commissioner, Panipat w.r.t his office endst. No.385/EB dated 22.2.2017
  2. SDO (civil) Panipat
  3. Sh. Ranbir Singh, Assistant

Suptd.

For commissioner. Rohtak, Division

No.8596-99 /**SE Dt. 11.11.2010**

To

Sub Divisional Officer.

Jind Water Service Sub Division.

Jind

Subject:- Joining report

Sh. Raj Singh Beldar has joined on his promotion as Earth Work Mistri in this office on dated 25.10.2010 AN in compliance of S.E. YWS Circle, Jind vide his letter no. 8792-95/5E dated 21.10.2010. He will work in Jind W/S Sub Division ,Jind as vacant post of Earth Work Mistri.

Usual events be reported in due course.

Executive Engineer,

Jind Water Services Division,

Jind

CC

1. The Superintending Engineer ,YWS Circle Jind.

**LIST OF EVANTS**

**1.4.1993 That** petitioner joined the respondents/ department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as regular Beldar

**21.10.2010 further** he was promoted as Earth work Mistri from the post of Baldar vide order dated 21.10.2010 and joined on promotional post on 11.11.2010.

**1.4.2017** Petitioner also granted 3rd ACP (Assured Career Progress) Scale on 1.4.2017 after completing his 24 years regular and satisfactory services.

That, now due to family circumstances, petitioner want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar.

**7.9.2021 P**etitioner approach to the respondents many times to reversion him from the post of Earth Work Mistri to the post of Beldar but all in vain . Then finally petitioner send the legal notice on 7.9.2021 through his counsel to the respondents to implement his prayer .But the respondents not responding regarding this till date.

**Hence this petition**

CHANDIGARH (SURESH AHLAWAT)

DATED : 30 .10.2021 ADVOCATE

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

C.W.P. No. of 2021

Raj Singh ----------- Petitioner

VERSUS

State of Haryana and others ----------- Respondents

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sir. N. | Particulars | Date | Pages |  |
| 1 | List of Events | 30.10.2021 | 1 |  |
| 2. | Civil Writ Petition | 30.10.2021 | 2-6 | 50.00 |
| 3 | Affidavit | .11.2021 | 7 |  |
| 4 | Annexure P-1 Joining Report) | 11.11.2020 | 8 | 1.00 |
| 5 | Annexure P-2 (3rd ACP letter) | 26.5.2018 | 9 | 1.00 |
| 6 | Annexure P-3 ( letter and order of High Curt) | -------- | 10-12 | 2.00 |
| 7. | Annexure P-4 (Legal Notice) | 7.9.2021 | 13-14 | 1.30 |
| 8. | Power of Attorney |  |  | 3.00 |
|  |  |  |  |  |

NOTE: 1. Similar case if any: No

. 2. That the main law points involved in the writ petition are contained in para no. at page

3. Relevant Statutes/Rules: The Constitution of India

4. Caveat petition filled :- No.

5. Whether Constitutional Validity of any act ,rule of Notification has been challenged by way of filing writ petition or not -No-

6. Whether any sitting /former MP/MLA is involved in the case of not -No-

**Chandigarh SURESH AHLAWAT**

**Dated: 30.10.2020 Advocate**

**Counsel for the Petitioner**

**SURESH AHLAWAT Chamber No.62**

**ADVOCATE**

**PUB. & HAR. HIGH COURT**

**CHANDIGARH**  **Mob No. 94171-11917**

**---------------------------------------------------------------------------------------------------**

Ref.No**.** Dated: 17.1. 2022

1. Engineer-in- Chief , Irrigation & Water Resources Department, Haryana, Sinchai Bhawan,Sector-5, Panchkula

2. Superintending Engineer, Y.W.S. Circle, Jind.

3. Executive Engineer ,Jind W/S Division. Jind.

Sub:- Legal Notice in the matter of reversion from the post of Earth Work Mistri to the post of Beldar

Respected Sir,

1. I has been instructed on behalf of my client Raj Singh presently posted as Work Earth Mistri in the office Executive Engineer ,Jind W/S Division. Jind.

To serve upon you the following legal-cum-Final Demand Notice of Civil Writ Petition for the redressal of grievances of my client.

1. That my client joined your department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as Beldar . Than on 20.10.2010 he was promoted from the post of Beldar to Work Earth Mistri .
2. That, now due to family circumstances, my client want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar.
3. It is, therefore, prayed from you that in view of above situation kindly reversion to my client from the post of Earth Work Mistri to the post of Beldar within ONE MONTH from the receipt of this legal notice failing which my client will be constrained to approach the court of competent jurisdiction to get these and in that eventuality you will be liable for all the consequences including litigation expenses also.

Note:- A copy of this legal notice is retained in my office for further necessary action.

SURESH AHLAWAT

ADVOCATE

**SURESH AHLAWAT OFFICE**

**ADVOCATE Chamber No. 62**

**PUB. & HAR. HIGH COURT High Court**

**CHANDIGARH**  **Mob no. .94171-11917**

**------------------------------------------------------------------------=============**

To

1. Engineer-in- Chief , Irrigation & Water Resources Department, Haryana, Sinchai Bhawan,Sector-5, Panchkula
2. Superintending Engineer, Y.W.S. Circle, Jind.
3. Executive Engineer ,Jind W/S Division. Jind.

Subject**: Contempt Notice** on behalf of my client Raj Singh presently posted as Work Earth Mistri in the office Executive Engineer ,Jind W/S Division. Jind for initiating contempt proceedings against you under Section 12 of the Contempt of Courts-Act,1971 for willfully and intentionally disobeying order dated 11.11.2021 , passed by this Hon’ble Court in “CWP No 22844 of 2021 titles as Raj Singh versus State of Haryana , whereby FOUR WEEKS have been passed till date, which makes you liable for the severe punishment under the Contempt of Courts Act.

**R/ Sir,**

I have been instructed on behalf of my client Raj Singh presently posted as Work Earth Mistri in the office Executive Engineer ,Jind W/S Division. Jind .

I hereby serve the present notice for initiating contempt proceedings against you as under:-

That my client has filed above stated writ petition before this Hon'ble Court with the following relief:-

Civil Writ Petition under Articles 226/227 of the Constitution of India praying for the issuance of a writ in the nature of Mandamus directing the respondents to revert the petitioner from the post of Earth Work Mistri to the post of Beldar ( Irrigation Department).

2. That when the said writ petition had come for hearing before this Hon'ble Court on 11.11.2021, then this writ petition is disposed of by this Hon'ble Court and directed the respondents to take a decision ,in accordance with law, **as expeditiously as possible.**

3. That it is very surprisingly, respondents not bothered the directions of the Hon’ ble High Court. Now FOUR MONTHS have been expired till today but respondents have not complied the order of this Hon'ble Court . Hence, the respondents have not complied the order of this Hon'ble Court therefore; the respondents have clearly violated the directions passed by this Hon'ble Court, from which it reflects that they are disobeyed the order dated 11.11.2021 passed by the Hon'ble High Court willfully, deliberately & intentionally.

4. That it is a pre-requisite condition for filing a contempt petition that notice be served upon you by bringing to your knowledge the order passed by the Hon’ble Punjab and Haryana High Court, which has to be complied with by you. Therefore, the present notice is being served upon you.

5. That as a compliance of the aforesaid order dated 11.11.2021 you are duty bound in law as a compliance of the order passed by the Hon’ble High Court in letter and spirit, but you have intentionally and willfully disobeyed that order, which makes you liable for the severe punishment under the Contempt of Courts Act.

It is, therefore, prayed from you that the grievances of my client not redress **WITHIN 15 DAYS**  from the receipt of this contempt notice failing which, I have clear instructions from my client to initiate contempt proceedings against you for intentionally and willfully not complying with the order passed by the Hon’ble High Court.

In that eventuality, you will be liable to the expenses and costs that my client shall have to incur on the same as it would be uncalled for and unnecessarily burdening him to file Contempt Petition in the Hon’ble High Court for getting the justice which is being denied to him by you in an arbitrary manner.

Please take further notice that you are also liable for the costs of the present notice which are assessed by me at Rs.22,000/-.

A copy of this notice has been retained by me in my office for reference and record.

**SURESH AHLAWAT**

**ADVOCATE**

Not :- Copy of High Court order dated 11.11.2021 is attached herewith .

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

C.O.C.P NO. of 2022

Raj Singh (age about 56 years) son of Sh. Jagdish Chander residence of Quarter no. J-1 Canal Colony Jind presently posted as Earth Work Mistri in the office Executive Engineer, Water Services Division (Irrigation Department) Jind.

VERSUS

1. Financial Commissioner –cum –Addl. Chief Secretary, to Govt. of Haryana, Irrigation & Water Resources Department, Haryana Civil Secretariat, Sector-17 ,Chandigarh

2. Engineer-in- Chief , Irrigation & Water Resources Department, Haryana,

Sinchai Bhawan,Sector-5, Panchkula.

1. Superintending Engineer, Y.W.S. Circle, Jind.

4. Executive Engineer ,Jind Water Services Division, Irrigation & Water Resources department . Jind.

**CHANDIGARH (SURESH AHLAWAT)**

**DATED: 30.10.2021 ADVOCATE**

**COUNSEL FOR THE PETITIONER**

Civil Writ Petition under Articles 226/227 of the Constitution of India praying for the issuance of a writ in the nature of Mandamus directing the respondents to revert the petitioner from the post of Earth Work Mistri to the post of Beldar ( irrigation department).

Any other appropriate writ, order or direction to which this Hon’ble High Court may deem fit and proper in the facts and circumstances of the case may also be passed in favour of the petitioner.

*RESPECTFULLY SHOWETH*

1. **That** the petitioner is a resident of District Jind (Haryana) and as such being a citizen of India, he is fully competent to invoke the extraordinary writ jurisdiction of this Hon’ble Court under Article 226/227 of the Constitution of India by way of the present writ petition.
2. That petitioner joined the respondents/ department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as regular Beldar further he was promoted as Earth work Mistri from the post of Baldar vide order dated 21.10.2010 and joined on promotional post on 11.11.2010. True copy of the joining report dated 11.11.2010 of promotional post (Earth Work Mistri) of the petitioner is attached herewith as **Annexure P-1.**
3. That petitioner is presently working as regular Work Earth Mistri in irrigation department , which he is holding and serving the department as such till date to the utmost satisfaction of the superiors with missionary zeal and having blotless record of his entire service career . Petitioner also granted third ACP (Assured Career Progress) Scale on 1.4.2017 after completing his 24 years regular and satisfactory services. A true copy of letter dated 26.5.2018 of 3rd ACP scale is granted to the petitioner is attached herewith as **Annexure P-2.**
4. That, now due to family circumstances, petitioner want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar. Same controversy arose in identical matter wherein one applicant who was working as Assistant in the office of the SDO (C) made a request to the Commissioner , Rohtak Division that he may be reverted from the post of Assistant to the post of Clerk, due to family circumstances lastly office of Commissioner, Rohtak Division accepted his prayer and he was degraded /reverted from the post of Assistant to the post of Clerk vide order dated 24.3.2017. After some time that person approached to this Hon,ble High Court on 16.7.2021 vide C.W.P. No 12956 of 2021 that, now there are 10/12 post of Assistants are pending, he may be promoted from the post of clerk to the post of Assistants .Than Hon,ble Court disposed of this petition and directed to the respondents to decide the pending representation of the petitioner . True Copies of reversion order dated 24.3.2017 of that person and order dated 16.7.2021 passed in CWP No 12956 of 2021 are attached herewith as **Annexure P-3.**
5. **That** Petitioner approach to the respondents many times to reversion from the post of Earth Work Mistri to the post of Beldar but all in vain . Then finally petitioner send the legal notice on 7.9.2021 through his counsel to the respondents to implement his prayer .But the respondents not responding regarding this till date. Copy of legal notice dated 7.9.2021 sent by the petitioner to the respondents is attached here with as **Annexure P-4.**

**Contempt Petition** under Section 12 of the Contempt of Court Act-1971 for initiating contempt proceedings against the respondents for willfully and intentionally disobeying the directions passed by this Hon’ble Court vide order dated 11.11.2021 passed in CWP no. 22844 of 2021 titled as Raj Singh V/S State of Haryana and others , whereby more than **THREE MONTHS** have passed ,but till date ,they did not do so, which makes them liable for the severe punishment under the Contempt of Courts Act:-

**RESPECTFULLY SHOWETH:**

* 1. That the petitioner is being aggrieved from non-compliance of order dated 11.11.2021 on part of respondents intentionally and deliberately is entitled to invoke inherent jurisdiction of this Hon,ble Court by filing present petition under section 12 of the Contempt of Courts Act,1971.

2. That petitioner has filed above stated writ petition before this Hon'ble Court with the following relief:-

Civil Writ Petition under Articles 226/227 of the Constitution of India praying for the issuance of a writ in the nature of Mandamus directing the respondents to revert the petitioner from the post of Earth Work Mistri to the post of Beldar ( Irrigation Department).

**3. That** petitioner joined your department in the 1984 as Beldar on work charge basis. His services were regularized on 1.4.1993 as Beldar. Than on 20.10.2010, he was promoted from the post of Beldar to Work Earth Mistri .

**4. That,** now due to family circumstances, petitioner want to take down-degradation/reversion from the post of Earth Work Mistri to the post of Beldar.

**5. That** when the said writ petition had come for hearing before this Hon'ble Court on 11.11.2021, then this writ petition is disposed of by this Hon'ble Court and directed the respondents to take a decision ,in accordance with law, as expeditiously as possible. Copy of the said order dated 11.11.2021 passed by the Hon,ble Court is Attached herewith as **Annexure P-1.**

**6. That it** is very surprisingly, respondents not bothered the directions of the Hon’ ble High Court. Now THREE MONTHS have been expired till today but respondents have not complied the order of this Hon'ble Court. Whereas , petitioner is going to retire from service after one years i.e 58. But respondents have not complied the order of this Hon'ble Court therefore; the respondents have clearly violated the directions passed by this Hon'ble Court, from which it reflects that they are disobeyed the order dated 11.11.2021 passed by the Hon'ble High Court willfully, deliberately & intentionally.

**7. That** as a compliance of the aforesaid order dated 11.11.2021 you are duty bound in law as a compliance of the order passed by the Hon’ble High Court in letter and spirit, but you have intentionally and willfully disobeyed that order, which makes you liable for the severe punishment under the Contempt of Courts Act.

8. **That the** petitioner also served the contempt notice to the respondent but all in vain .Copy of the contempt notice dated 17.1.2022 is attached herewith as **Annexure P-2.**

9. **That despite** repeated requests and frequent visits, grievance of the petitioner has not yet been redressed. Even respondents are not caring about order passed the Hon,ble Court.

10. **That** when the respondents did not pay any heed than petitioner constraint to file this contempt petition before this Hon’ble Court

11 **That now** **THREE MONTHS have been expired** from the date of passing of order dated 11.11.2021 by this Hon,ble High Court ,this matter is hanging fire since NOV.-2021 but the respondents did not pay any heed and are not implementing the order passed by this Hon.ble Court on 11.11.2021 . The act and conduct of the respondents shows clear cut willful and deliberate disobedience of the order dated 11.11.2021 passed by this Hon,ble High Court.

12 **That the** respondents have deliberately and intentionally disobeyed the order of the Hon’ble Court as they have no respect for law and order . In order to fulfill their own oblique motive ,the respondents have committed the offence of Contempt of Court Order.

13 **That** the respondents have, thus, made themselves liable to be prosecuted under the contemptuous proceedings for disobedience of the High Court which makes them liable for severe punishment under the Contempt of Courts Act.

14 **That n**o such or similar petition has earlier been filed either before this Hon,ble Court or Hon,ble Supreme Court .

It is, therefore, respectfully prayed that present contempt petition may kindly be allowed, contempt proceeding against the respondents for non-compliance and non-implementing the order dated 11.11.2021 passed in CWP no. 22844 of 2021 by this Hon,ble Court willfully and deliberately may kindly be initiated under the provision of the Contempt of Courts Act, 1971, in the interest of justice.

Any other relief to which this Hon’ble Court deems fit and proper in the peculiar facts and circumstances of the present case may also be granted in favour of the petitioners.

It is further prayed that the petitioner may kindly be exempted from certified/true typed copy of annexures in the interest of justice.

Chandigarh SURESH AHLAWAT

DATED : 13.2.2022 ADVOCATE

COUNSEL FOR THE PETITIONER

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

C.O.C.P NO. of 2022

**In CWP no. 22844 of 2021**

Raj Singh (age about 56 years) son of Sh. Jagdish Chander residence of Quarter no. J-1 Canal Colony Jind presently posted as Earth Work Mistri in the office Executive Engineer, Water Services Division (Irrigation Department) Jind.

VERSUS

1. Rakesh Chouhan Engineer-in- Chief , Irrigation & Water Resources Department, Haryana, Sinchai Bhawan,Sector-5, Panchkula.

2. Rajesh Kumar ,Superintending Engineer, Yamuna Water Services Circle, Jind . Irrigation & Water Resources department . Jind.

**CHANDIGARH (SURESH AHLAWAT)**

**DATED: 13.2.2022 ADVOCATE**

**COUNSEL FOR THE PETITIONER**

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

**COCP . No. of 2022**

**In CWP no. 22844 of 2021**

**Raj Singh ----------- Petitioner**

**VERSUS**

**Rakesh Chouhan and another ----------- Respondents**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sir. N. | Particulars | Date | Pages | C.Fee |
| 1 | Contempt Petition under Section 12 of Contempt of Court Act,1971 | 13.2.2022 | 1-5 |  |
| 2. | Affidavit | 2.2022 | 6 |  |
| 3 | Annexure P1 (Order of High Court) | 11.11.2021 | 7-9 |  |
| 4 | Annexure -2 (Contempt Notice | 17.1.2022 | 10-12 |  |
| 5 | Power of Attorney |  | 13 |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

NOTE: Similar case if any :-No

CHANDIGARH SURESH AHLAWAT

13.2.2022 ADVOCATE

COUNSEL FOR THE PETTITONER

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No. 2022

IN C.W.P. No. 22844 Of 2021

Raj Singh …………. Petitioner

Rakesh Chouhan and another ……………Respondents

Affidavit Raj Singh son of Sh. Jagdish Chander presently posted as Earth Work Mistri in the office Executive Engineer,Water Services Jind.

I , the above named deponent do hereby solemnly affirm and declare on oath as under: -

1. That the deponent has gone through the contents of the accompanying petition which have been drafted by the counsel on my instructions. The contents of the same are admitted to be true and correct and be read as part and parcel of this affidavit.

2. That no such or similar petition has earlier been filed either before this Hon,ble Court or Hon,ble Supreme Court.

DATED :- 2. 2022

CHANDIGARH

*VERIFICATION*

Verified that the contents of my above affidavit are true and correct to my knowledge. No part of it is false and nothing has been kept concealed therein.

CHANDIGARH

DATED 2 .2022

IN THE HIGH COURT FOR THE PANJAB AND HARYANA AT CHANDIGARH

**COCP . No. of 2022**

**In CWP no. 22844 of 2021**

**Raj Singh ----------- Petitioner**

**VERSUS**

**Rakesh Chouhan and another ----------- Respondents**

**C.FEE**

CHANDIGARH SURESH AHLAWAT

13.2.2022 ADVOCATE

COUNSEL FOR THE PETTITONER