

**HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR**

S.B. Civil Contempt Petition No. 1369/2017

Naimish Kumar Singh S/o Shri P.m. Singh, B/c Rajput, Aged About 38 Years, At Present Working C-94 Indira Nagar Distt. Raebareli (Up) -229001

----Petitioner

Versus

1. Shri Rajiv Mehrishi, Secretary, Ministry Of Home Affairs, North Block, New Delhi.
2. Shri S. Dev Datta Singh, Deputy Inspector, General (Pers), on Behalf Of Directorate General Central Industrial Security Force (Ministry Of Home Affairs), Block No.13, CGO Complex, Lodhi Road, New Delhi-03.
3. Rajiv Gauba, Secretary, Ministry Of Home Affairs, North Block, New Delhi

----Respondents

For Petitioner(s) : Mr.Raghunandan Sharma

For Respondent(s) : Mr.H. V. Nandwana
Mr.B.S. Chhaba

HON'BLE MR. JUSTICE ALOK SHARMA

Order

23/03/2018

Contempt of the order dated 25.4.2016 passed by this Court in SBCWP No.9642/2012 is alleged in this petition. Perused the said order and reply to the petition.

Vide order dated 9.1.2018 under the hand of Deputy Inspector General (Pers) the petitioner's seniority, as obtaining prior to the imposition of penalty which has been effectively set aside by this Court under its order dated 25.4.2016, has been restored and he given all due annual increments.

It was submitted by counsel for the petitioner that though the petitioner's seniority has been restored but in the

meantime his juniors having been promoted to the post of Deputy Commandant. The petitioner shall now also be considered for promotion as a consequence of the restoration of his seniority and being in line for promotion.

In view of the reply to the petition and submission of counsel for the respondents, I find that the order dated 25.4.2016 passed by this Court in SBCWP No.9642/2012 has been complied with and contempt thereof as alleged is not made out. The issue of promotion of the petitioner to the next higher post is not the subject matter of the petition. However counsel for the respondents have stated that consequent to the petitioner's seniority being restored such promotion shall follow in accordance with prescribed procedure.

This contempt petition in the circumstances cannot sustain. Accordingly disposed of.

Notices discharged.

(ALOK SHARMA), J

Himanshu/16