

**HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT JAMMU**

CCP(D) No. 29/2023
CM No. 5392/2023

Pritam Bhattacharya, Age 47 years
S/O Smt. Gauri Bhattacharya,
95 South A C Road, P. O.- Khagre,
District Murshidabad, West Bengal-742103

....Petitioner(s)/Appellant(s)

Through :- Petitioner in person.

V/s

1. Giridhar Aramane, IAS
Defence Secretary,
101-A, South Block,
New Delhi-110011
defsecy@nic.in/01123012380
2. Lt. Gen. Rajeev Choudhary,
Director General Border Roads,
Seema Sadak Bhawan,
New Delhi-110010
3. Brig., Tez Pal Singh,
The Chief Engineer,
Project Sampart, C/O 56 APO,
Kunjwani, Jammu-180010.
4. Shr R. C. Pandey,
Executive Engineer,
1052 FdWkspof Project Sampark,
Kunjwani, Jammu-180010.

....Respondent(s)

Through :- Mr. Vishal Sharma, DSGI.

**Coram: HON'BLE MR. JUSTICE TASHI RABSTAN, JUDGE
HON'BLE MR. JUSTICE RAJESH SEKHRI, JUDGE**

ORDER

11.12.2023

1. The present contempt petition has been filed for initiation of contempt proceedings against the respondents for non-compliance of the order dated 03.04.2003 passed in LPA No. 117/22022 titled 'Union of India and others v. Pritam Bhattacharya' whereby the Division Bench of this court has observed as under:

'Since the order dated 14.01.2015 removing the writ petitioner-respondent herein from service has been quashed by the learned Single Judge, he would be entitled to be reinstated in service, for which he will immediately report before the competent authority within a period of one week from the date of receipt of copy of this order. On being reinstated, writ petitioner will be entitled to

allowances as admissible as per rules and all other entitlements shall be finally settled in terms of the final order, which may be passed on conclusion of the inquiry by the disciplinary authority.'

2. During the pendency of the petition, respondents herein have sought extension of time which was granted to enable them to complete the enquiry.

3. Ultimately, the respondents had issued Notice to the petitioner herein under Rule 15(2) of the CCS (CCA) Rules, to which the writ petitioner was required to response within a period of 15 days, however, due to no response from the writ petitioner, the inquiry could not be concluded.

4. Subsequently, this court vide order dated 04.12.2023 granted five days time to the petitioner to file his response to the notice.

5. Today when the matter is taken up for consideration, we are informed that instead of filing the response in the respondents' office, the petitioner has filed the same before the court on 08.12.2023. Copy of the same has been given to Mr. Vishal Sharma, DSGI in the open court, who submits that at least four weeks' time may be granted to the respondents to consider the response and conclude the inquiry.

6. Since the response has been filed to the notice, therefore, we dispose of this contempt petition by providing that the respondents shall conclude the inquiry within a period of four weeks from today. In the event, the inquiry is not concluded within a period of four weeks, the petitioner would be at liberty to seek revival of this contempt petition. He would also be at liberty to challenge the outcome of the inquiry, if adverse against him at appropriate forum.

7. Registry shall return the sealed blank envelopes taken on record vide order dated 08.09.2023 to the petitioner after retaining the photo-copies of the same.

8. The contempt petition is accordingly closed

Jammu:
11.12.2023
Raj Kumar

(Rajesh Sekhri)
Judge

(Tashi Rabstan)
Judge

