

HIGH COURT OF CHHATTISGARH, BILASPUR

Contempt Case (C) No. 423 of 2015

Mukesh Tiwari S/o Shri Vishnu Tiwari, aged about 34 years, R/o near Mahamaya Mandir, Malha Para, Mungeli, District Mungeli (CG)

---- **Petitioner**

Versus

Umesh Shukla, Presently working as Chief Municipal Officer, Municipal Council, Takhatpur, District Mungeli (CG)

---- **Respondent**

For Petitioner : Shri Sudip Agrawal, Advocate.

Hon'ble Shri Justice P.Sam Koshy

Order On Board

17/09/2015

1. The present contempt petition has been filed against the order dated 31.07.2015 passed by this court in WP(S) No. 2734 of 2015. While passing the order dated 31.07.2015, this court has observed as under :

“5. Taking into consideration the entire facts and circumstances of the case, this court is of the opinion that ends of justice would meet if the respondent No.4 is directed to take appropriate steps in the case of the petitioner keeping in view the order dated 09.07.2015 passed by respondent No.2. It is expected that the respondent No.4 shall take a prompt decision.”

2. A bare perusal of above order would reveal that this court has directed the Respondent to take appropriate decision. No specific time period was given to the Respondent to decide the Petitioner's representation.

3. The instant contempt petition has been filed on 03.09.2015 i.e. barely after 35 days from the date the order that have been passed. Prima-facie, this court is of the opinion that this contempt petition is not maintainable on two counts. Firstly without waiting for a reasonable time after passing of the order, the Petitioner has rushed to this court seeking contempt against the Respondent. Secondly, while deciding the writ petition, this court has not given any specific time frame to decide the Petitioner's representation. The court has only directed the Respondent to take prompt decision.
4. For the aforesaid two reasons, no contempt is made out against the Respondent. Accordingly, the contempt petition is dismissed.

Sd/-
(P.Sam Koshy)
Judge

inder