

Single Bench
IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR
CONTEMPT CASE (C) NO. 326 / 2014

APPLICANT
(Petitioner)

: Laxmi Narayan Sharma son
of Ram Narayan Sharma,
aged about 59 years, Head
Prahari, Central Jail
Bilaspur, R/o. Jail Line,
Bilaspur, P.S. Civil Line,
Bilaspur, Civil and Revenue
District Bilaspur (C.G.).

326/14
N.A. Sharma
12/9/14
Presented by Shri. N.A. Sharma
dated

VERSUS

NON-APPLICANT
(Contemnor)

.. Shri P.D. Purbiya, Under
Secretary, Home/Jail
Department, Mantralaya,
Mahanadi Bhawan, New
Raipur (C.G.),

CONTEMPT PETITION UNDER ARTICLE 215 OF THE
CONSTITUTION OF INDIA READ WITH SECTION 11/12 OF
THE CONTEMPT OF COURTS ACT FOR INITIATING OF
CONTEMPT PROCEEDINGS





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HIGH COURT OF CHHATTISGARH, BILASPUR

SB : Hon'ble Shri Sanjay K. Agrawal, J.

CONTEMPT CASE (C) NO. 326 OF 2014

PETITIONER : Laxmi Narayan Sharma

Versus

RESPONDENT/CONTEMNER : Shri P.D. Purbiya

(Contempt Petition Under Article 215 of the Constitution of India Read with
Section 11/12 of the Contempt of Courts Act for initiating of Contempt
Proceedings)

Appearance: Mr. Nasimuddin Ansari, counsel for the applicant.
Mr. Amiyakant Tiwari, counsel for the respondent/contemnor.

ORDER

(23rd of January, 2015)

The contempt petition has been filed alleging non-compliance of order dated 28-07-2014 by which this Court directed the State to consider the representation made by the petitioner against the transfer order dated 15-07-2014.

2. Learned counsel appearing for the petitioner submits that though the representation was made in time and it was required to be decided within four weeks from receipt of the representation but it has been decided on 26-11-2014 rejecting the representation of the petitioner.

3. Learned counsel appearing for the respondent/contemnor would submit that petitioner's representation has already been decided on 26-11-2014 and his retirement is due on 30-06-2017. Fact remains that the petitioner's representation has been considered and rejected vide order dated 26-11-2014 (Annexure R/1). If



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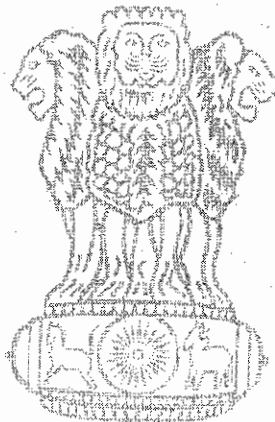
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the petitioner is aggrieved against the order rejecting his representation, he is free to challenge that order before the jurisdictional forum. As such no proceedings for contempt can be initiated on the ground of delay for complying the order of this Court, as delay in complying the order has been explained.

5. After hearing learned counsel for the parties and going through the order, I am of the considered opinion that the petition for contempt is liable to be and is hereby dismissed and the contempt proceedings against the contemnor is dropped.

CHHATTISGARH H/P

Sd/-
Sanjay K. Agrawal
Judge



सत्यमेव जयते

Kv