

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONTEMPT CASE (C) No. 476 of 2015

- Sanjay Bajpai S/o Shri S.N. Bajpai, Aged About 47 Years R/o Exotica, Shankar Nagar, Post & P.S. Shankar Nagar, Raipur Civil & Revenue District Raipur, Chhattisgarh

---- Petitioner

Versus

1. Shri S. S. Bajaj , Presently Holding Post Of The Chairman, Professional Examination Board, Raipur, Chhattisgarh, and Holding The Post Of Commissioner-Cum-Director, Town & Country Planning Department, Mantralaya, Naya Raipur, District Raipur, Chhattisgarh
2. Shri Taran Sinha, Personal Assistant To The Chief Secretary, Mahanadi Bhawan, Mantralay, Naya Raipur, District Raipur, Chhattisgarh
3. Shri Sandeep Bagde, Joint Director, Town & Country Planning Department, Raipur, Chhattisgarh
4. Shri Jahid Ali, Joint Director, Town & Country Planning Department, Indravati Bhawan, Naya Raipur, District Raipur, Chhattisgarh
5. Shri K.P.Bajpayee, Joint Director (Retd.), Town & Country Planning Department, Naya Raipur, District Raipur, Chhattisgarh
6. Shri Alex Paul Menon, Collector, District Balrampur, Chhattisgarh
7. Shri Pulak Bhattacharya, Tahsildar, District- Durg, Chhattisgarh
8. Shri S.K. Gadhewal, District Registrar, Baloda Bazar, District Balodabazar-Bhatapara, Chhattisgarh
9. Shri B.C. Sahu, S.D.O. (Revenue) Department, Raipur, Chhattisgarh

---- Contemnors

For Petitioner

Mr. B.P. Sharma, Advocate

S.B.: Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

27/10/2015

Heard.

(2) This contempt petition has been preferred alleging violation of this Court's order dated 10.12.2014 passed in W.P.(C) No.1857 of 2013 and another connected writ petition.

(3) Referring to para 10 &11 of the order, Mr. Sharma would argue that this Court had directed for giving reasonable opportunity of hearing to the petitioner, however, the proposal for settlement put-forth by the petitioner on the asking of the authority, was not duly considered, therefore, reasonable opportunity was not granted.

(4) A perusal of the order (Annexure C/8) would indicate that the matter was considered by the authorities and on prayer made by the petitioner, several adjournments were granted. The concerned authority has passed the order on merits, therefore, merely because, the proposal submitted by the petitioner pursuant to the direction by the authority was not considered, it may not make out a case for invocation of contempt jurisdiction.

(5) To initiate proceedings of contempt, the violation should be writ large and disobedience should ooze out from the order itself.

(6) After hearing learned counsel for the petitioner and on perusal of the order, this Court does not find any ground for taking cognizance of the contempt application.

(7) The contempt petition is accordingly dismissed.

Sd/-

Judge

(Prashant Kumar Mishra)