

HIGH COURT OF CHHATTISGARH, BILASPUR

WPS No. 2712 of 2016

Shri L.B.Shah S/o Shri Gopinath Shah, Aged About 55 Years Working As Executive Engineer (E/M), At Water Resources Department, District Raigarh (Chhattisgarh).

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary Water Resources Department, Mantralaya, Mahanadi Bhavan, Naya Raipur, P. S. Rakhi, District Raipur (Chhattisgarh).
2. High Power Caste Certificate Scrutiny Committee Through Member & Joint Director, Adim Jati Anusandhan Evam Prashikshan Sanstha, State Of Chhattisgarh, Pt. Deendayal Upadhyay Nagar, Sector - 4, Raipur (Chhattisgarh)
3. Engineering In Chief, Water Resources Department, Shihava Bhavan, Raipur (Chhattisgarh)
4. Shri P. D. Toppo, Assistant Engineer, Water Resources Department, Office Of The S D O (E/ M) Workshop Sub - Division, Atma Nagar, Machadoly, District Korba (Chhattisgarh)

---- Respondents

Shri Vinod Deshmukh, counsel for the petitioner/s.
Shri D.R.Minj, Dy.G.A. for the State / respondents on advance copy.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

07/07/2016

This petition has been filed by the petitioner ventilating his grievance that despite order passed by this Court earlier on 12/09/2011 in WPS No.5340/2011, respondent No.2, instead of deciding the case of the petitioner, is insisting the petitioner to produce records and documents prior to 06/09/1950.

2. It appears that respondent No.2 has not cared to look into the spirit of the order dated 12/09/2011 passed by this Court. There was no occasion for respondent No.2 to time and again keep on issuing notices to the petitioner insisting him to produce documents prior to 06/09/1950. It is found that after the

order was passed by this Court, one more notice was issued to the petitioner on 03/03/2016 with similar insistence. The petitioner has submitted all the documents which he claims to be in his possession.

3. Respondent No.2 is directed to decide the case of the petitioner on the basis of material available before it. Issuance of any fresh notice insisting the petitioner to produce documents prior to 06/09/1950 would be treated as an act of flouting the orders and directions of this Court. Respondent No.2 should proceed to decide the matter on the basis of evidence and material produced before it by the petitioner and other material as may be collected by respondent No.2 from the Vigilance Cell.

4. With the aforesaid observations / directions, the petition is finally disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge