NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 590 of 2016

- Phool Singh, son of Sonsai, aged about 58 years, resident of Village Vijaynagar, Dhurena, Tahsil – Katghora, District – Korba (C.G.)

---- Petitioner

Versus

- D. Shrinath, posted as Chief General Manager, South Eastern Coalfields Limited, Gevra Area, District – Korba (C.G.)

---- Respondent

For Petitioner : Mr. Rahul Mishra, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2016

Heard on admission.

1. Learned counsel for the petitioner submits that while rejecting the representation of the petitioner, the respondent has acted in a manner of willful disobedience, in as much as direction of the order passed by this Court has been wrongly interpreted. It is argued that this Court had directed the respondent to decide the case of the petitioner in the light of observation made by this Court in case of **Ku. Rattho Bai and anr. Vs. South Eastern Coalfields Limited and ors. in WPS No. 432/2011**. However while deciding the case of the petitioner, the authority has wrongly distinguished the case of the petitioner, whereas the petitioner was identically situated.

2. After going through the order passed by the authority on 04/06.11.2016, I find that giving reference to the case of **Ku. Rattho Bai (supra)**, the authority has examined the case of the petitioner and for its own reasons sought to distinguish the matter. It is found that the authority by applying its mind, has passed the order to the best of his understanding. Irrespective of the merit of the case, it does not appear to be a case of willful disobedience, therefore, the petition is dismissed reserving liberty to the petitioner to challenge the order in separately constituted petition on its own merit.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Chandra