NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

Contempt Case (C) No.451 of 2015

1. Laxmi Kant Tripathi, S/o Shital Prasad Tripathi, Aged About 42 Years Working As Peon At Boys Hostel Jigdi, Block- Rajpur, Revenue District- Balrampur - Ramanujganj, Chhattisgarh
2. Anil Kumar Prajapati S/o Sahgu Pandit, Aged About 50 Years Working As Peon At Purva Madhyamik Shala Bakaspur, Block- Rajpur, Revenue District- Balrampur - Ramanujganj, Chhattisgarh
3. Nandu Ram Kashap S/o Late Harishchandra Ram, Aged About 45 Years Working As Peon At Purva Madhyamik Shala Patratu, Block- Rajpur, Revenue District- Balrampur - Ramanujganj, Chhattisgarh
4. Shashibhushan Prajapati S/o Shri Praburam Prajapati, Aged About 40 Years Working As Peon At Purva Madhyamik Shala Obari, Block- Balrampur, Revenue District- Balrampur - Ramanujganj, Chhattisgarh

---- Petitioner

Versus

Alex Paul Menon , Collector, Balrampur, Distt.- Balrampur - Ramanujganj, Chhattisgarh .....(Contemnor)

------Respondent

For Petitioner: Shri Jai Prakash Shukla, Advocate.
For Respondent: Shri Sushil Dubey, Advocate.

Single Bench: Hon'ble Shri P. Sam Koshy, J
Order On Board

10.3.2016

1. The present Contempt Petition has been filed for non-compliance of the order dated 24.4.2015 passed in W.P.(S) No.1440/2015. Notices were issued in the present Contempt Petition and the Respondent inter alia having entered appearance had filed his reply along with the document dated 1.10.2015 showing compliance of the order dated 24.4.2015.

2. At this juncture, Learned Counsel for the Petitioner submits that the Respondent, while deciding the representation, had not decided the

representation in the spirit of the order of this Court in the Writ Petition.

3. Learned Counsel for the Respondent, on the other hand, submits that the direction in the Writ Petition was only to decide the pending representation of the Petitioner and the Collector has, in compliance of the order, already taken a decision.

4. Having considered the submissions put forth by either parties, needless to state that once an order has been passed and a decision has been taken by the Respondent in compliance of the order passed in the Writ Petition, the order stands honoured and complied. If at all the Petitioner is not satisfied with the decision taken by the Respondent in its order, the Petitioner would have to challenge the same by way of fresh proceedings before the appropriate forum. The contempt proceedings cannot be invoked as a substitute of the writ jurisdiction to decide whether the order passed is proper, legal and justified.

5. With the aforesaid observation, since the substantial compliance has been done by the Respondent, the contempt proceedings stands dropped.

Sd/-
(P. Sam Koshy)
JUDGE

Priya