

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Contempt Case (C) No. 112 of 2016**

Dr. Manjit Kaur Bal, aged 39 years, D/o Shri D.S.Bal, R/o Presently R/o F-3
C/Block-22/301, Sector 27 Naya Raipur, District Raipur (Chhattisgarh)

---- Applicant**Versus**

1. M.K.Rout, Additional Chief Secretary, Department of Panchayat and Rural Development, Government of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Naya Raipur, District Raipur, Chhattisgarh.
2. Surendra Jaiswal, Director, Thakur Pyarelal Panchayat & Gramin Vikas Sansthan, Nimora, PO Mana Basti, Raipur, District Raipur, Chhattisgarh.

---- Respondents

For Applicant : Shri Animesh Verma, Advocate.
For Respondent/State : Shri J.K.Gilda, Advocate General with Shri UNS Deo,
Government Advocate.

Hon'ble Shri Navin Sinha, Chief Justice
Hon'ble Shri P. Sam Koshy, J.

Order on Board**Per Navin Sinha, Chief Justice****17/03/2016**

1. The present application has been filed alleging violation of the order dated 28.10.2015 in Writ Appeal No. 510 of 2015.
2. Learned Counsel for the Petitioner submits that the writ petition was disposed with the observation that if the Petitioner applied in response to a fresh advertisement, her application was required to be considered in accordance with law on its own merits. The Petitioner has learnt from newspaper reports that notwithstanding the same, the issue regarding ineligibility is being agitated by the Respondents as discussed in the Chhattisgarh Vidhan Sabha, Raipur. It is but evidence of contemptuous conduct by the concerned Minister-in-Charge. It amounts to tarnishing the image of the Petitioner.

3. No other ground has been urged before us.

4. An application under the Contempt of Court Act will lie for a deliberate, willful disobedience of a Court order acting in defiance of the same. But to attract that principle, there must be a positive direction by the Court to act in a particular manner or to desist from acting in a particular manner. No such directions were issued. On the contrary, the Court came to the conclusion that the writ petition had become infructuous. It is not the case of the Petitioner that any advertisement has been issued and she had not been considered against the same in accordance with law due to past events, notwithstanding the observations. In fact the pleadings do not contain a whisper of a suggestion in this regard.

5. We are satisfied that the contempt application is wholly frivolous and deserves to be dismissed with costs. We however refrain from imposing cost.

6. The application is dismissed.

Sd/-
(Navin Sinha)
CHIEF JUSTICE

Sd/-
(P. Sam Koshy)
JUDGE