

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 387 of 2016

- Mangni W/o Late Krishna Yadav, Aged About 50 Years R/o- Bhilai, Post- Bariyo, P.S. And Tahsil- Rajpur, District- Balrampur, (Chhattisgarh).

---- Petitioner

Versus

- Alex Paul Menon The Then Collector, Balrampur, Presently Posted As Secretary Information And Technology Department, Mahanadi Bhawan, Mantralaya, Naya Raipur, (Chhattisgarh),.....(Contemnor).

---- Respondent

For Petitioner : Mr. C. Jayant K. Rao, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava
Order On Board

08/09/2016

Heard.

1. By filing this contempt petition, the petitioner alleges willful disobedience of order dated 01.09.2014 and thereafter, to order dated 02.07.2015.
2. Learned counsel for the petitioner submits that on incorrect factual premises, the respondent-authority has declined to take any action against the operator of the stone crusher. It is submitted that the contents of letter dated 21.01.2016 are factually incorrect.
3. This Court did not decide the issue on merit, but only directed the authority to take its own decision. If the grievance of the petitioner is that despite illegality, no action has been taken against the operator of stone crusher, the petitioner's remedy lies in filing fresh petition challenging inaction of the respondent and not by filing contempt petition. This Court in contempt petition can not direct the respondent-authority to act in particular manner. Therefore, contempt petition is misconceived in law and is accordingly dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge

