

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 528 of 2016

- Ganesh Ram Dewangan S/o Late Shri Banshilal Dewangan, Aged About 58 Years R/o Poonam Colony, Quarter No.112, Ward No.19, Police Station, Tahsil And District Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

- Anil Kumar Sharma Under Secretary, State Of Chhattisgarh Department Of Water Resource, Secretariat, Mahanadi Bhawan, New Raipur, P.S. And Post Rakhi District Raipur, Chhattisgarh(Contemnor)

---- Respondent

For Petitioner : Mr. Abhishek Pandey, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10/11/2016

Heard.

1. This petition has been filed by the petitioner alleging willful disobedience of the order dated 19.09.2016 passed in WPS No. 4879 of 2016.
2. Learned counsel for the petitioner submits that this Court has directed the respondent for consideration of posting of the petitioner at any other place nearer to Raipur to facilitate treatment of Cancer of this wife. Though the order has been modified, now the petitioner has been posted at Kawardha in place of Kondagaon, which is also at a distance of 150 km away from Raipur, therefore, spirit of the order has not been complied with.
3. It is found that the petitioner's transfer order Rajnandgaon to Kondagaon has been considered. Transfer order has been modified. Upon consideration, the petitioner is now being posted at Kawardha. This shows that the respondent has considered the petitioner's representation and the new order has been passed in compliance of the Court order, therefore, in these circumstances, it cannot be contemptuous in nature.
4. Reserving liberty to the petitioner to challenge the order which is now being passed, the petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge