

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT CASE (Civil) No. 373 of 2014

1. Dr. K.R. Hari, son of Shri K.N.R. Nair, aged about 50 years, resident of Senior MIG, 114 Deen dayal Upadhyay Nagar, Raipur, PS Deendayal Upadhaya Nagar, Tahsil and District Raipur. CG

---- Petitioner

Versus

1. Shri M.K. Raut S/o (Secretary Earlier), Secretary, Department of Higher Education, at Present Secretary Panchayatraj, Mahanadi Bhawan, Govt. of Chhatisgarh, Mantralaya, New Raipur, Distt. Raipur C.G.
2. C.K. Khetan (Secretary Earlier), Secretary, Department of Higher Education, at Present Joint Secretary, Govt. of India, New Delhi.
3. R.C. Sinha (Secretary Earlier), Secretary, Department of Higher Education, Mahanadi Bhawan, New Raipur, Distt. Raipur C.G.
4. B.L. Agrawal (Secretary Presently), Department of Higher Education, Govt. of Chhattisgarh, Mahanadi Bhawan, Mantralaya, New Raipur, Distt. Raipur C.G.

---- Respondents

For Petitioner	:	Shri L.C. Patne, Advocate
For Respondents	:	Shri Kishore Bhaduri, Advocate

Hon. Shri Justice Pritinker Diwaker &

Hon. Shri Justice Rajendra Chandra Singh Samant

Order on Board by P. Diwaker, J

09/02/2017

According to the petitioner though he was appointed as Assistant Professor on emergency basis way back in the year 1987 but till date he has not been granted the benefit of grade pay scale and super time pay scale from the date of his initial appointment.

2. Counsel for the petitioner submits that the petitioner is fighting litigation after litigation since 2006 but despite the undertaking given by the topmost State authorities, he has not received the actual benefit. He submits that though on the face of the record contempt case is clearly made out against some of the respondents but considering the fact that subsequent to filing of present contempt petition, order dated 22.9.2015 has been passed in a bunch of petitions (leading one being WPS 785/2015) and therefore he may be permitted to withdraw this contempt petition with liberty to file a fresh petition seeking redressal of grievances, if occasion arises.

3. Counsel for the respondent however submits that the State Government has filed WA No. 506/2006 against the order dated 22.9.2015 passed in WPS No. 785/2015 and other connected matters which have been decided by this Court granting benefit to the petitioner from the date of his initial appointment. He submits that instead of contesting the present contempt petition, the petitioner has the other remedy available for redressal of his grievances. Shri Bhaduri however submits that *prima facie* no contempt is made out against the respondents and the petitioner is wrongly interpreting the order passed by this Court.

4. Be that as it may, the petitioner is permitted to withdraw this contempt petition with liberty to file a fresh petition seeking redressal of his grievances, if occasion arises. Contempt petition is accordingly dismissed as withdrawn.

Sd/-

(Pritinker Diwaker)

Judge

Sd/-

(RCS Samant)

Judge