

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 699 of 2017

Rajendra Tiwari S/o Shri G. P. Tiwari, Aged About 60 Years Assistant District Excise Officer, Balod, Tahsil And District Balod, Chhattisgarh.

---- **Petitioner**

Versus

Shri Ashok Kumar Agrawal Commissioner, Excise And Secretary Commercial Tax (Excise Department), Mantralaya, Mahanadi Bhavan, Naya Raipur, Chhattisgarh.

---- **Respondent**

For Petitioner : Mr. PKC Tiwari, Senior Advocate with
Mr. Kripesh G. Kela, Advocate

S.B.:Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2017

Heard.

1. Willful disobedience of order dated 11.01.2017 passed in WPS No.5058 of 2005 is alleged on the ground that even though the order dated 11.01.2017 requiring respondent to hold review DPC was passed by this Court, a copy of which was served on the Secretary of the department on 25.02.2017, for the last 9 months, review DPC has not been held nor any decision has been communicated to the petitioner.
2. This Court finds that against the order passed by this Court, a writ appeal was preferred by the State, which was finally dismissed vide order dated 28.07.2017 passed in WA No.247 of 2017. The order passed in the writ appeal was also communicated to the Secretary of the department vide letter dated 02.08.2017 bearing acknowledgment of receipt.
3. Considering the aforesaid situation that the writ appeal has also been dismissed in July, 2017, the respondents are required to comply with the direction

of the Court. True it is that no time limit was fixed for undertaking the exercise but even where no time limit is fixed, the order of the Court is required to be complied with within a reasonable time.

4. Before initiating any proceeding, this Court gives one more opportunity to expeditiously conclude the proceeding at the earliest, three months time should be taken as a reasonable period for compliance.

5. A copy of this order be communicated to the Secretary of the department concerned. In case, the order of the Court is not complied with, the petitioner would be at liberty to revive this contempt petition.

6. Accordingly, this contempt petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge