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HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 414 of 2017***(Arising out of judgment/order dated 7.4.2017 in Writ Petition (PIL) No.54 of 2017 of the learned Division Bench)*

Gulab Singh S/o Shri Anand Singh, Aged About 39 Years R/o Village Salhim Ward No. 4, P. O. Kathautiya, Tahsil Manendragarh, District Koriya (Chhattisgarh).

---- Petitioner**Versus**

1. Deleted (Shri Vivek Dhand) As Per C.O. Dt. 29.08.17
2. Shri Subodh Kumar Singh, Secretary, Department Of Mines Resources, Mantralaya, At Mahanadi Bhawan, New Raipur (Chhattisgarh).
3. Deleted (Narendra Kumar Dugga) As Per C.O. Dt. 29.08.17

---- Respondents

For Petitioner : Shri Jai Praksh Shukla, Advocate.
 For Respondent No.2 : Shri Yashwant Singh Thakur, Additional Advocate General.

Hon'ble Shri Thottathil B. Radhakrishnan, Chief Justice
Hon'ble Shri P. Sam Koshy, Judge.

Order on Board**Per Thottathil B. Radhakrishnan, Chief Justice****17/11/2017**

1. The judgment dated 7.4.2017 in Writ Petition (PIL) No.54 of 2017 is the foundation for this application seeking initiation of action under the Contempt of Courts Act. The complaint of the Petitioner was in relation to utilisation of DMF fund. Through the judgment in the writ petition, this Court had directed the Secretary, Department of Mines and Minerals of the Government of Chhattisgarh to consider a comprehensive representation, which the writ Petitioner was permitted to make.

2. We have heard the learned counsel for the Petitioner and the learned Additional Advocate General.
3. Alongwith the return, the Respondent has placed on record the decision taken on the representation. The Petitioner's learned counsel points out that the said decision has been rendered without any enquiry by the Secretary directly. May be, it is a case of institutional decision making in which the subordinate was required to carry out the requisite enquiry. We do not finally impress on that because the Petitioner, if so advised, may seek appropriate remedy which we do not foreclose by virtue of this order.
4. Subject to what is stated in the immediately preceding paragraph, we do not see any reason whatsoever to initiate any action against the Respondent. This application therefore fails.
5. In the result, the contempt petition is dismissed.

Sd/-

(Thottathil B. Radhakrishnan)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE