

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONTEMPT CASE (C) NO. 543 OF 2016

Kishor Das, S/o Late Shri Nohar Das, aged about 37 years, R/o Village Jarwe,
Tahsil Janjgir, District Janjgir-Champa (C.G.)

... Petitioner

Versus

1. Shri Ganesh Shankar Mishra, Secretary, Water Resource Department (Irrigation), Ministry, Mahanadi Bhavan, New Raipur, District Raipur (C.G.)
2. Shri R.N. Divya, Chief Engineer, Minimata (Hasdev), Bango Pariyojna, Bilaspur, District Bilaspur (C.G.)
3. Shri Bhartidasan, the Collector, District Janjgir-Champa (C.G.)

... Respondents

For Petitioner	:	Mr. A.K. Dewangan, Advocate.
For Respondent No.2	:	Mr. Shashank Thakur, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/01/2017

1. The present contempt petition has been filed alleging non-compliance of the order dated 3.9.2015 passed by this Court in Writ Petition No. 4581 of 2004.
2. Counsel for Respondent No.2 submits that he has filed reply whereby it has been brought on record that the claim of the Petitioner was in fact considered by the authorities of the Respondents and vide order dated 29.3.2016 (Annexure R/2/2), the claim of the Petitioner has been rejected. According to the Counsel for Respondent No.2, by this rejection of the application, the order of this Court dated 3.9.2015 stands fully honoured and as such there is no contempt made out and the petition deserves to be rejected.
3. From perusal of the reply filed by Respondent No.2 particularly the document dated 29.3.2016, it is clear that the respondent authorities have considered the case of the Petitioner in the light of the directives given by this Court in Writ Petition No. 4581 of 2004 decided on 3.9.2015 and have

rejected the claim of the Petitioner. Moreover, it also reflects that the family members of the deceased employee have also accepted the ex gratia compensation of Rs.1 Lakh in lieu of employment long ago.

4. In the given facts of the case, this Court is of the opinion that the present contempt petition does not survive any further and the order passed by this Court stands fully complied with. If at all, if the Petitioner is aggrieved by the subsequent order he is at liberty to challenge the same afresh.

5. The contempt petition stands accordingly dismissed and disposed of. Respondent No.2 is discharged from the contempt proceedings.

Sd/-
(P. Sam Koshy)
Judge