

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 589 of 2016

Shivganga Matasyoudyog Sahkari Samiti Gondahur Through Its President Mahen Sarkar, S/o Ghiren Sarkar, Aged About 45 Years, R/o Radhanagar, P.O. No. 48, Post Gondahur, Tahsil Pankajur, District Uttar Bastar, Kanker, Chhattisgarh

---- Petitioner

Versus

S.K.Sahu Assistant Director, Machlipalan, District Uttar Bastar, Kanker, Chhattisgarh(Contemnor)

---- Respondent

For Petitioner	:	Shri CJK Rao, Advocate
For Respondent	:	Shri M.K. Sinha, Advocate

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

Order On Board

20/02/2017

Respondent- contemnor Shri S.K. Sahu, Assistant Director, is present in the Court.

1. The case of the petitioner is that though this Court vide order dated 29.1.2016, directed the respondent-authority to decide petitioner's representation dated 13.10.2015, the respondent has come out with an order dated 3.3.2016 which does not decide the matter by a speaking order clearly specifying the reason for rejecting representation.
2. Learned counsel for the respondent and the respondent submit before the Court that in fact in the present matter, the allotment has been made under the resolution passed by Janpad Panchayat, Koylabeda which is the competent authority and the respondent is only executing authority. Therefore, stating this reason, the representation of the petitioner has been rejected.
3. Irrespective of merits which the claim of the petitioner may have on the face of

it, being a registered society of tribals prior in point of time, having considered that the decision has been taken by the respondent, I am not inclined to proceed further in the matter, though, I find that order is not very clear and specific in terms but rightly or wrongly, the respondent has passed order.

4. Therefore, reserving liberty to the petitioner to challenge the order dated 3.3.2016, the contempt petition is finally disposed off. Rule is discharged.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Praveen