

HIGH COURT OF CHHATTISGARH, BILASPUR

Contempt Case (C)No.26 of 2017

Virendra Kumar Bandhkar S/o Shri Dharamlal Bandhkar, aged about 34 years, R/o village Sirmadabri, Post Kishungarh, PS Pandariya, Teh. Pandariya, Distt. Kabirdham.

---- Applicant

Versus

Kailash Kodapy, Chief Executive Officer, Janpad Panchayat, Pandariya, Distt. Kabirdham (CG).

---- Respondent

For Applicant	:	Shri KPS Gandhi, Advocate.
For Respondent	:	Shri Ajay Kumrani, Advocate on behalf of Smt. Naushina Ali, Advocate.

SB: Hon'ble Shri Justice P. Sam Koshy

Order On Board

27/06/2017

1. The present contempt petition has been filed for non compliance of the order passed by this court on 04.11.2016 in Writ Petition (L) No.44 of 2015. Vide the said order, this court had directed the respondent herein to comply with the mandatory provisions of Section 17-B of the Industrial Disputes Act.
2. The respondent has filed its reply stating that the order dated 04.11.2016 has been duly honoured with and the amount which was payable to the petitioner in compliance of Section 17-B of the Industrial Disputes Act has been deposited in the bank account of petitioner.
3. Counsel for the petitioner does not dispute the fact that amount, as stated by the respondent, has not been credited to his account except the fact that the amount which has been deposited by the respondent is not based on proper calculation.

4. This court in the present contempt petition is only confined to see whether the order passed by this court on 04.11.2016 in Writ Petition (L) No.44 of 2015 has been honoured or not. Indisputably, the fact is that the respondent has infact deposited certain amount in the bank account of the petitioner-employee. Now, whether the amount deposited is based on proper calculation or not is not a subject matter which can be looked into by the contempt court. For redressal of the said relief, the petitioner would have to make an appropriate application before the original writ court.
5. Thus, as of now, since the order dated 04.11.2016 has been duly complied with by the respondent, no contempt is made out against the respondent. Accordingly, the contempt petition is dismissed and the contempt proceedings against the respondent is dropped.

Sd/-
(P. Sam Koshy)
Judge

inder