

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 610 of 2017

Prem Singh Chouhan S/o Late D.S.Chouhan, Aged About 79 Years R/o Smrati Bhawan, Near Green Chowk, Station Road, Durg, Chhattisgarh ---- **Petitioner**

Versus

1. Shri Manoj Kumar Shrivastava Principal Secretary, Commercial Tax Deptt., Govt. Of M.P., Mantralaya Vallabh Bhawan, Bhopal M.P., Madhya Pradesh
2. Shri Amitabh Jain, Principal Secretary, Commercial Tax, Deptt., Govt. Of C.G., Mantralaya Mahanadi Bhawan, Naya Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
3. Shri Arun Kochar, Excise Commissioner, Moti Mahal, Gwalior M.P., District : Gwalior, Madhya Pradesh
4. Shri Ashok Agrawal, Excise Commissioner, Abkari Bhawan, Labhandi, Raipur, Chhattisgarh
.....**Respondents**

For Petitioner	:	Mr. Tarun Dadsena, Advocate
For State	:	Mr. Lav Sharma, Panel Lawyer

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

10.08.2018

Heard.

1. This contempt petition has been filed alleging for willful disobedience of order passed by this Court wherein a direction was issued for holding the review DPC.
2. A contempt petition was filed with the allegation that despite direction, review DPC has not been held. This Court had issued notices to respondents No.1 & 2 to show cause as to why the contempt proceedings be not initiated. Reply has been filed. Later on, memo dated 13.04.2018 of Public Service Commission addressed to the Secretary has also been filed, in which, it has been disclosed that because of the interim order passed by the Honb'le Supreme Court in some other case, the Public Service Commission is unable to hold DPC, at this stage.
3. Taking into consideration the aforesaid disclosure, the contempt proceedings

against the respondents cannot be continued. Therefore, these proceedings are dropped, however, with liberty to the petitioner to approach the Public Service Commission, Indore (MP).

4. In view of letter dated 13.04.2018 of the Public Service Commission addressed to the Secretary Department of Commercial Tax, Government of Madhya Pradesh, it is to be observed that as there is an order passed by the Hon'ble Supreme Court on 12.05.2016 to maintain status quo, the Public Service Commission is finding itself unable to hold DPC. The petitioner, however, will have liberty to revive as and when eventuality so arises, depending upon order that may be passed by the Hon'ble Supreme Court.

5. The contempt petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Rekha