

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 158 of 2018

1. Tana Ram Verma S/o Hai Lal Aged About 62 Years R/o Village Khaprikala, Post Keshda, Thana Newra, Tahsil Tilda, District Raipur, Chhattisgarh
2. Hari Ram Vishwakarma S/o Late Dindayal Vishvakarma Aged About 62 Years R/o Mohabhata, Post Mohabhata, Tahsil Simga, District Balodabazar, Chhattisgarh,
3. Lachhan Gaud S/o Late Gangu Aged About 62 Years R/o Village Tehaka, Post Datengi, Tahsil Bhatapara, District Balodabazar-Bhatapara, Chhattisgarh,

---- Petitioners

Versus

1. Sonmani Vora Secretary, Department Of Water Resources, Mantralaya Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh,
2. Shri Upendra Kumar Singh Executive Engineer, Water Resources Department, Mahanadi Water Resources Disnet Division 3, Tilda, District Balaodabazar-Bhatapara, Chhattisgarh

---- Respondents

CONT No. 164 of 2018

Bhed Giri Goswami S/o Late Shankar Giri Goswami Aged About 62 Years R/o Village And Post Kamta, Tahsil Simga, District Balodabazar-Bhatapara, Chhattisgarh

---- Petitioner

Versus

1. Sonmani Vora Secretary, Department Of Water Resources, Mantralaya Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh, District : Raipur, Chhattisgarh
2. Shri Upendra Kumar Singh Executive Engineer, Water Resources Department, Mahanadi Water Resources Disnet Division 3, Tilda, District Balodabazar-Bhatapara, Chhattisgarh

....Respondents

For Petitioners	:	Mr. Ashok Patil, Advocate
For Respondent No.1	:	Mr. Dhiraj Wankhede, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

13.07.2018

The contempt petitions are being decided together by this common order.

1. The petitioners, in two contempt petitions, have come out with the allegation that despite direction issued by this Court for considering petitioners' cases for grant of pension, the respondents have not started paying pension to the petitioners.
2. Mr. Dhiraj Wankhede, Advocate, who appears for respondent No.1, in both the cases and has filed his Vakalatnama also, states that there is no willful disobedience of the order of the Court inasmuch as direction has been issued by the State Government on 28.02.2018 that as CPF has already been released, subject to redeposit of 50% of the said amount, the benefit as directed by the Court would be extended in cases which are found eligible.
3. While issuing a direction to consider the petitioners' cases for grant of pension, it was never intended by the Court that the employee or their family, who have already received amount under Contributory Provident Fund Scheme, would be entitled to retain the same. Obviously, if the direction of this Court is to be complied with, the petitioners will have to take initiative by returning to the Government 50% of the amount received under Contributory Provident Fund Scheme.
4. Learned counsel for the petitioners submits that the petitioners would be taking steps towards return of 50% amount at the earliest.
5. In these circumstances, the two contempt petitions are disposed off with the observation that as soon as the petitioners return 50% of the CPF amount, the respondents should proceed to comply with the direction of this Court issued earlier in the writ petition.

Sd/-

**(Manindra Mohan Shrivastava)
Judge**