

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 331 of 2018

Kamalkant Shrivastava S/o Shri Brijesh Chandra Shrivastava, aged 37 years, R/o C/o House of Sundari Bai, Tikrapara, Post and P.S. Tikrapara, Civil and Revenue District, Dhamtari (C.G.).

---Petitioner

Versus

Smt. Ranu Sahu, Occupation Director, Directorate, Health Services, Mahanadi Bhawan, Mantralaya, Raipur (C.G.).

---Respondent

For petitioner : Shri Harshal Chouhan, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/04/2018

1. The present contempt petition has been filed alleging non-compliance of order dated 21/02/2017 passed in WPS No.872/2017.
2. Perusal of record would show that, as a compliance of the said order, the respondent have considered the case of the petitioner and have rejected his claim vide order dated 29/04/2017.
3. The contention of the counsel for the petitioner is that, the mandate of this Court while disposing of the Writ Petition is not considered by the respondent while passing the order dated 29/04/2017.
4. Having heard the contention put forth by the counsel for the petitioner this Court is of the opinion that rightly or wrongly, the order of this Court dated 21/02/2017 passed in WPS No.872/2017 stands complied with by the

respondent. The legality or the veracity of the order cannot be looked into in a contempt jurisdiction. The direction in the Writ Petition was only to consider the representation of the petitioner and pass an order. The respondent have passed an order on 29/04/2017. The said action would be a fresh cause of action which would be open to be challenged in a fresh petition if the petitioner so want. This Court does not feel any contempt as such has been committed by the respondent.

5. The contempt petition thus deserve to be and is accordingly dismissed reserving the liberty to the petitioner to challenge the order dated 29/04/2007 separately.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit