

HIGH COURT OF CHHATTISGARH, BILASPUR**Contempt Petition No. 93 of 2019**

1. Majid Ali S/o Late Insan Ali, Aged About 75 Years R/o Bhartiya Nagar, Near Heeradhar Poltry Form, Bilaspur, Chhattisgarh.

---- Petitioner**Versus**

1. Anil Tiwari Aged About 55 Years Executive Engineer, Hasdeo Canal, Water Management Division, Janjgir Champa, Chhattisgarh.
2. R.P. Sao Executive Engineer, Hasdeo Kharang Aaykt Division, Water Resources Department, Tahsil Janjgir Champa, District Janjgir Champa, Chhattisgarh.
3. Arun Kumar Yadu Executive Engineer, Hasdeo Kharang Maniyari, Aaykat Division, Cada Bilaspur, Tahsil And District Bilaspur.

Respondent(s)

For Petitioner	:	Shri Atanu Ghosh, Advocate.
For Respondents-State	:	Shri, Saleem Kazi, Dy. A.G.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****04.02.2019**

1. The present contempt petition has been filed alleging non-compliance of the order dated 26.09.2018 passed by this Court in Writ Petition (L) No. 4887/2009.
2. Perusal of record would reveal that the order dated 26.09.2018 was in fact an order which was substantively passed in the writ petition filed by the State Government vide W.P.N 314/2006 where in State government had challenged the order of Labour Court in case No. 109/MPIR-Act 90 dated 15.05.1997 and also the order passed by the Industrial Court dated 19.08.2004 passed in appeal case No. 291/MPIR Act/97.
3. Since the net result of the order passed by this Court on 26.09.2018 is the rejection of the writ petition preferred by the State Government, it seems

that this Court has only affirmed the order passed by the labour Court as well as by the Industrial Court on 15.05.1997 and 19.08.2004 respectively.

If that be so, any non-compliance of the order dated 26.09.2004 would only give rise to execution proceedings to the petitioner before the concerned labour Court/ Industrial Court, as the case may be.

4. Thus, this court is of the opinion that the contempt petition as such is not maintainable. Accordingly, reserving the right of the petitioner to avail other remedies available to him before the labour Court, the contempt petition stands disposed off.

Sd/-

(P. Sam Koshy)
Judge