

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 254 of 2019

Shyam Lal Soni S/o Late Shri R.C. Soni Aged About 69 Years
Retired Deputy Commissioner (Development), At Present R/o Qr.
No.8, Shailendra Nagar, Ameri, Police Station Sakri, Post Mangla,
Tahsil Takhapur, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. Shri R.P. Mandal Additional Chief Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
2. Smt. Reeta Sandilya Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
3. Jitendra Kumar Shukla Deputy, Secretary, Panchayat And Rural Development Department, Government Of Chhattisgarh, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, Chhattisgarh.
4. Kartike Goyal Additional Development Commissioner Office Of Development Commissioner Indrawati Bhawan, Panchayat And Rural Development Department, Government Of Chhattisgarh, Atal Nagar, Raipur, District Raipur, Chhattisgarh.

---Non-Applicants

For Petitioner	:	Mr. A.K. Prasad, Advocate
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Hon'ble the Chief Justice

Hon'ble Mr. Justice P. Sam Koshy

Judgment on Board by Hon'ble the Chief Justice

16/05/2019

1. The present contempt petition has been filed alleging non-compliance of the directions given by this Court on 10.02.2015 while disposing the W.A. No. 48/2015. The operative portion of the judgment in the said writ appeal reads as under:

“The appellant is also stated to have superannuated in the meantime. The respondents shall not only pay the consequential benefits from date of promotion but also recalculate the pension including arrears of pension and pay the legitimate dues within a maximum period of three months from the date of receipt and/or production of copy of this order.”

2. The learned counsel for the appellant submits that after several rounds of communication and proceedings, the respondents herein passed an order on 15.11.2018 virtually ignoring the specific directions given by this Bench as to the promotion to be given to the appellant and disbursement of the consequential benefits.
3. It is seen that the present contempt petition has been filed on 31.01.2019, much after the expiry of the statutory period envisaged under Section 20 of the Contempt of Courts Act 1971. On this ground alone we are not in a position to entertain the matter, to ascertain, whether any contemptuous action is established on the part of the respondents.
4. If the appellant is aggrieved in any manner with regard to the course now pursued in relation to the order passed on 15.11.2018, it is quite open for the appellant to pursue appropriate remedies challenging the said proceedings.
5. Without prejudice to the right of the appellant to challenge the order dated 15.11.2018 by way of appropriate proceedings, the contempt petition stands dismissed.

Sd/-

(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-

(P. Sam Koshy)
JUDGE