

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT No. 199 of 2019**

Maniram Baiga S/o Shri Panchram Baiga Aged About 52 Years
Presently Posted As Patwari, Khairagarh, Resident Of Narghoda, Tahsil
Masturi, District Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. Shri Bheem Singh Former Collector Rajnandgaon, presently posted as Director, Directorate of Agriculture, Department of Agriculture, Krishak Nagar, Puren, Raipur, District Raipur, Chhattisgarh
2. Shri Jaiprakash Maurya Collector Rajnandgaon, Collectorate, Rajnandgaon, District Rajnandgaon, Chhattisgarh.
3. Shri C.P. Baghel Sub Divisional Magistrate (Revenue), Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh.
4. Ku. Neha Bhedia Tehsildar, Khairagarh, District Rajnandgaon Chhattisgarh.

----Respondents

For Petitioner	:	Mr. Amrito Das, Advocate
For Respondents	:	Mr. Anoop Majumdar, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****01/05/2019**

1. The instant contempt petition has been filed alleging non-compliance of the order dated 04.09.2018, passed in WPS No. 5751/2018. While disposing of the writ petition, this Court had made the following observations:

“3. Given the fact, the present writ petition is disposed of with a direction to the authorities to ensure that the petitioner is paid the current wage that he would have otherwise got, had he not been placed under suspension. The intervening period shall be decided subject to the outcome of WPS No. 2819/2016 where the order of the High Power Caste Scrutiny Committee is under challenge. Let this exercise be concluded within a period of 90 days from the date of receipt of certified copy of this order.”

2. The non-compliance of the aforesaid directions led to the filing of the present contempt petition. On notice being issued to the respondents, a

reply has been filed on their behalf and the respondents have in their reply in paragraphs No.5 & 6 have held as under:

“5. That, the case of the petitioner was re-examined and the pay scale applicable to the petitioner was recalculated and amended in light of the objections raised by the Treasury. The Sub-Divisional Officer, Khairagarh vide order dated 22.04.2019 redetermined the pay scale of the petitioner in light of order passed by this Court and the same is sent to be processed, through bill, for making payments. Copy of order dated 22.04.2019 along with calculation sheet is filed herewith as Annexure R/2. The petitioner will accordingly receive the current pay scale as if he continued in service without suspension.

6. That, in light of the order passed by the SDO, Revenue, Khairagarh, it is clear that the pay scale made applicable to the petitioner is equivalent to that of his contemporaries and the same will be paid to him. There occurred some delay in compliance with the Court order due to the objection raised by the Treasury, which is subsequently rectified. Therefore, the order passed by this Court has been duly complied with so the contempt proceedings may be dropped against the respondents.”

3. In view of the reply of the respondents, the crux of which stands reproduced in the preceding paragraph and also on perusal of the document dated 22.04.2019 (Annexure R/2), it stands established that the respondents have in fact complied with the directives given by this Court on 04.09.2018 in WPS No. 5751/2018.
4. In view of the reply that the respondents have filed and the annexures enclosed along with the reply, this Court is of the opinion that the respondents have substantially complied with the order and nothing further remains to be proceeded with in this contempt petition, the same accordingly stands disposed of reserving the right of the petitioner to challenge any part of the order passed by the respondents.

Sd/-
(P. Sam Koshy)
Judge