

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR**

**CONT No. 193 of 2019**

1. Rajendra Prasad Sharma S/o Late Shri B.R. Sharma Aged About 67 Years Occupation Retired Police Inspector, R/o Duggal Colony, Opp. Chandra Morya Talkies, Supela, Bhilai, District Durg Chhattisgarh

**---- Petitioner**

**Versus**

1. Arun Deo Gautam Secretary, Home Affairs, Police Department Mahanadi Bhawan, New Mantralaya, District Raipur Chhattisgarh
2. D.M. Awasthi The Director General Of Police, Police Head Quarter, District Raipur Chhattisgarh (Contemnors)

**---Respondents**

|                 |   |                                      |
|-----------------|---|--------------------------------------|
| For Petitioner  | : | Mr. Prakash Tiwari, Advocate.        |
| For Respondents | : | Mr. Chandresh Shrivastava., Advocate |

**Hon'ble Shri Justice P. Sam Koshy**

**Order on Board**

**10/05/2019**

1. The present Contempt Petition has been filed alleging willful non-compliance of the Order dated 28.09.2018 passed in WPS No. 6416 of 2018. Vide the said order, this Court had given the following directions:-

“Given the facts and circumstances of the case, let the petitioner make a fresh representation to the respondent No. 1 supporting with all relevant documents and records so far as his entitlement is concerned and the respondent No. 1 in turn is directed to decide the representation keeping in view the notification of the Govt. of India dated 03.12.2015 (Annexure P/6) so also the order of the Govt. of India, Ministry of Home dated 10.05.2013 so far as the amount of allowance is concerned preferably within an outer limit of 90 days from the date of receipt of representation.”

2. Notice were issued to the respondents and Shri Chandresh Shrivatava, appearing for respondents have filed their detailed reply. Along with their reply, the respondents have also filed certain documents.

3. The counsel for the respondents referred to Annexure AR-3 which is an Order dated 21.12.2018, wherein the Additional Secretary, Home Department, Government of Chhattisgarh has issued an order to the Director General of Police holding that the petitioner is entitled for the Gallantry Allowance from October 2010 onwards.
4. The Government order dated 21.12.2018 (Annexure AR-3) also reflects that the Government had calculated Gallantry Allowance payable to the petitioner @ Rs. 900 per month for the period between October 2010 to May, 2013 and from 10<sup>th</sup> May, 2013 onwards, it would be Rs. 2000/- per month. Referring to the writ petition filed by the petitioner and the order passed by this Court, the authorities have further directed that the Director General of Police to ensure compliance of the order at the earliest, so far as release of the payment is concerned.
5. Since the State Government has already ordered on 21.12.2018 holding that the petitioner is entitled for the said amount. This Court is of the opinion that the substantial compliance as was directed by this Court has been done by the respondents.
6. Though the petitioner submits that he has till date not received any money from the Order dated 21.12.2018. It is expected that the respondents shall ensure that the Order dated 21.12.2018 passed by the Additional Secretary, Govt. of Chhattisgarh is complied in letter and spirit at the earliest reserving the right of the petitioner to approach this Court, if any grievance is not still redressed.
7. The Contempt Petition stands disposed off.

Sd/-  
**(P. Sam Koshy)**  
**Judge**