

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 350 of 2019

1. Uttam Kumar Shrivastava, S/o Late I. C. Shrivastava, Aged About 52 Years, Presently Posted As Sub Engineer (Civil), Water Resource Division Raigarh, District: Raigarh, Chhattisgarh

---- Petitioner

Versus

1. Shri Avinash Champawat, Secretary, Water Resource Department, Mantralaya Mahanadi Bhawan, New Raipur, District: Raipur, Chhattisgarh

---Respondent

For Applicant	:	Mr. Rahul Tamaskar, Advocate.
For State/Respondent	:	Mr. Jitendra Pali, Dy. Adv. General with
	:	Mr. Rajeev Shrivastava, Advocate.

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

02.09.2019

1. The present Contempt Petition has been filed alleging non-compliance and willful disobedience of the order passed by this Court on 13.09.2018 passed in WPS No. 6742 of 2010.
2. The respondents had initially filed return/reply filed as Annexure R-1 dated 21.05.2019, rejecting the claim of the petitioner. This Court not satisfied with the reply, had called upon the respondents why contempt should not be initiated against him. The respondents later have filed an additional return as well as an application for seeking exemption from appearance of the respondents before this Court as ordered earlier along with a fresh order that has been passed on 14th August, 2019 along with the minutes of the review D.P.C. that was

held on 09.08.2019. The review D.P.C. that was convened on 09.08.2019 found that the Government had withdrawn the benefits which was extended to one Shri B.R. Jaadon with whom the petitioner was claiming the benefit on parity.

3. Given the aforesaid facts that, the benefits received or granted to Shri B.R. Jaadon being withdrawn, with whom the petitioner was making comparison. This Court is of the opinion that, in fact, the order passed by this Court stands complied with. Since, there is a compliance of the order by rejecting the claim of the petitioner, the option now left to the petitioner would be that of assailing the subsequent orders passed, the veracity of which cannot be tested by this Court under the contempt jurisdiction.
4. Reserving the right of the petitioner, to assail subsequent orders, if he is so aggrieved of.
5. The present Contempt Petition at this stage, stands disposed off.

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