

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT No. 670 of 2018**

1. Vijay Agnihotri S/o Shri M.L. Agnihotri, Aged About 47 Years Joint Secretary, South East Central Railway, Mazdoor Congress, R/o Torwa Bilaspur, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
2. Rabindra Kumar Dhal, S/o. Lt. R.C. Dhal, Aged About 45 Years R/o Ahmad Gali, Kasimpara, Torwa, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. Rana Nandi, S/o. G.C. Nandi, Aged About 40 Years R/o Rly Quarter No.- 22/2, New Construction Colony, Bilaspur, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
4. Vinod Kumar Mohanty, S/o Shri C. Mohanty, Aged About 45 Years R/o Shesh Colony, Vinoba Nagar, Bilaspur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
5. Ashutosh Swarnkar S/o Shri K.P. Swarnkar, Aged About 47 Years R/o Flat No. B/301, Nardeep Heights, Link Road, Bilaspur, Tahsil And District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh
6. Sher Khan S/o Late Yakub Khan, Aged About 52 Years R/o Railway Quarter No. 89/1 Behind Railway Cycle Stand Raigarh, Tahsil And District Raigarh Chhattisgarh., District : Raigarh, Chhattisgarh
7. R.D. Khan S/o Late Ram Surat Ram, Aged About 58 Years R/o Village Gorakhnathpur, Near Filter House 2a Colony Bishrampur Tahsil And District Surajpur Chhattisgarh., District : Surajpur, Chhattisgarh
8. Pitamber Laxminarayan S/o Laxminarayan Agutle, Aged About 56 Years R/o S.E.C.Rly, GI3/1 Mangalwari Road, Clarke Town, Nagpur, Tahsil And District Nagpur (Maharashtra), District : Nagpur, Maharashtra
9. B. Venugopal Rao, S/o Late B. Krishna Rao, Aged About 52 Years R/o Rly. Quarter No. 1368/2 Wireless Colony, Bilaspur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
10. N. Hemant Kumar S/o Shri M. Shrinivas Rao Aged About 42 Years R/o C/o R.K. Photo Studio, Depot Para Pendra Road, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Petitioners

Versus

1. S.L. Jangde Aged About 18 Years Registrar, Trade Union, Ii Floor, Indrawati Bhawan, Mantralaya, Naya Raipur, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. K.S. Murthy, General Secretary, Secr Mazdoor Congress, Qr. No. T/11/2, Babu Kholi, Bilaspur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
3. P.C. Nayak, Chief Personnel Officer, Sec Railway Zone Office, Bilaspur, Tahsil And District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh
4. Mahadev Agarkar, Incharge Advocate General Office, High Court Campus, Advocate General Office Bodri, Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- Respondents

For Petitioners	:	Mr. Rajat Agrawal with Mr. K.P. S. Gandhi , Advocates
For Respondent/s	:	Mr. Avinash K. Mishra, Advocate.

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

26/03/2019

1. The present contempt petition has been filed alleging wilful non-compliance of the order dated 09/03/2018 passed by this Court in Review petition No. 12/2018.
2. At the outset, this Court like to mention that the order dated 09/03/2018 was only an observation made while disposing the review petition. The original order in fact was passed in WPL No. 251/2017 which got disposed off on 02/01/2018 where this Court had directed the Registrar, Trade Union to ensure that his order dated 04/07/2017 only so far as holding of Working Committee Meeting is concerned without affecting the proceedings if any before the Industrial Court be held as expeditiously as possible.

3. The contention of the petitioner is that the order dated 02/01/2018 and the order dated 09/03/2018 have not been complied with by the Registrar.
4. Counsel for the respondent enters appearance and submitted detailed reply and along with the reply he has shown some correspondence that he had initiated pursuant to the order dated 09/03/2018. Thereafter, a final order was passed on 11/05/2018 Annexure (R-21) enclosed along with their reply wherein there has been specific direction given to the duly elected office bearer to convene Working Committee Meeting on or before 28/05/2018. This order of the Registrar dated 11/05/2018 has already been challenged before this High Court in a writ petition at the behest of same disputing parties inter-se between the office bearer of the some trade union which is registered as WPL No. 117/2018 and the writ petition has already been admitted for hearing by this Court wherein the petitioner herein have also entered appearance and as such the order of the Registrar dated 11/05/2018 pursuant to the order passed by this Court dated 09/03/2018 is already seized for hearing in a writ petition.
5. As such, this Court is of the opinion that since the matter has already been seized in another writ petition and therefore the Registrar so far as the role that he has to play having already taken a decision vide his order dated 11/05/2018, this Court is of the view that no wilful disregard or non compliance of the order passed by this Court has been committed by the respondents. If, at all, the petitioners have any grievance left they have liberty to move an appropriate application in the said writ petition which is pending.

6. Accordingly, the contempt petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rohit