

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 559 of 2019

1. Jata Shankar Mishra, S/o Late Shri Suryamani Mishra, Aged About 67 Years, Retd. Assistant Engineer (S D O), Hydrometeorology, Water Resources Sub Division 8, Ambikapur, District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

1. Shri Avinash Champawat, Secretary, Water Resources Department, Mahanadi Mantralaya, Naya Raipur, Atal Nagar, Post Office And Police Station Naya Raipur, Atal Nagar, District : Raipur, Chhattisgarh
2. Shri Jayant Pawar, Chief Engineer, Water Resources Department, Mahanadi Godavari, Kachhar Water Resources Department, Raipur, District : Raipur, Chhattisgarh

---Respondent

For Applicant	:	Mr. B.D. Guru, Advocate
For Respondent	:	Mr. Chandresh Shrivastava, Dy. A.G.

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

23.10.2019

1. The present Contempt Petition has been filed against non-compliance of the Order dated 19.09.2018 passed in WPS No. 6138 of 2018 by this Court.
2. The counsel for the respondents enters appearance and submits reply. The counsel for the respondents today submits that there is a departmental enquiry pending against the petitioner/applicant in-respect of the time during which the petitioner/applicant was posted

in the unified State of Madhya Pradesh and that departmental enquiry has now been concluded.

3. Recently, vide order dated 17.10.2019 the disciplinary authority has passed an order of recovery against the petitioner/applicant to the tune of Rs. 5,24,334/-.
4. According to the counsel for the respondents, the petitioner/applicant has been paid 90 percent of his pension and other retiral dues except for the gratuity amount, which also will now be settled after the recovery amount is adjusted.
5. Given the said facts and circumstance of the case, this Court is of the opinion that nothing further remains to be complied-with by the respondents at this stage, if at all, if the petitioner/applicant is aggrieved of subsequent decision of imposing penalty of recovery, the petitioner/applicant would be at liberty to challenge the same by way of afresh proceeding.
6. Reserving the right of the petitioner/applicant for challenging the same. The present Contempt Petition in its present form stands disposed-off.

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