

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****CONT No. 842 of 2018**

Manoj Kumar S/o Het Ram Aged About 47 Years Presently Working At Bagdeva Coal Mines As B C M, R/o Q. No. A - 517 Bakimogra, District Korba Chhattisgarh., District : Korba, Chhattisgarh

---- **Petitioner****Versus**

Dr. Rama Shankar Jha The Districto ( Personnel ) South Eastern Coalfield Limited Seepat Road Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

---- **Respondent**

|                |   |                                                    |
|----------------|---|----------------------------------------------------|
| For Petitioner | : | Mr. Sunil Kumar Soni, Advocate                     |
| For Respondent | : | Mr. Shailendra Shukla & Mr. V.R. Tiwari, Advocates |

**Hon'ble Shri Justice P. Sam Koshy****Order on Board****23/01/2019**

1. The present contempt petition has been filed alleging non compliance of the order dated 12/04/2018 passed in WPS No. 3004/2018.
2. In said writ petition, this Court had ordered for deciding the representation which the petitioner has filed seeking relief of being posted for Surface Duty instead of undermines.
3. The petitioner thereafter had preferred the writ appeal against the said order that is writ appeal No. 818/2018 and the writ appeal also stood disposed off on 04/01/2019 asking the respondent management to decide the representation within a further period of two weeks. The respondents have now passed an order 17/01/2019 as has been produced before the Court by Shri Shailendra Shukla, counsel appearing for the respondent.
4. From the perusal of the order it appears that the respondents

have now decided the representation of the petitioner.

5. However, at this juncture this Court would like to mention that the wordings used by the Officer in passing the order dated 17/01/2019 is not at all appreciable. The officer has made certain uncalled for remarks regarding the lawyer representing the petitioner. The Officer concerned has made such remark as if the lawyer is his subordinate. Counsel for the respondent is directed to intimate the concerned Officer so far as his conduct is concerned that such attitude of his should be rectified and he should maintain a reasonable amount of decency while deciding the representation. The words used by the officer while deciding the representation is definitely contemptuous But we refrain from proceeding showing the Court's magnanimity with a word of caution the concerned officer, from repeating it again.
6. Let the order dated 17/01/2019 and the order passed by this Court be produced before the Head of the Institution that is Chairman Cum Managing Director who should take necessary steps to instruct the Officer while deciding the representation and maintain a reasonable amount of decency and etiquettes. They should not be unreasonable while deciding the representation. Reserving the right of the petitioner to challenge the subsequent order passed by the respondent by way of a separate proceeding the present contempt petition in its present form stands disposed off.

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