

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 760 of 2019

Ram Gopal Jangade S/o Late Lalji Jangade Aged About 64 Years Retired Sub Divisional Officer, Rural Engineering Services, R/o Behind Samarpan Hospital, Adarsh Nagar, Mova, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Petitioner

Versus

Rajiv Kumar Accountant General, Chhattisgarh Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Respondent

For Petitioner	:	Shri Govind Dewangan, Advocate
For Accountant General	:	Shri Ashwani Shukla, Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/10/2019

1. The petitioner's grievance is that despite petitioner's having submitted his response in the office of Accountant General, the case of the petitioner has not been finally decided till date and the matter is remained pending.
2. This Court had directed that the response submitted by the petitioner to the authority who issued notice will have to be decided within an outer limit of four months. It is found that Senior Account Officer in the office of Accountant General sent a communication to the Executive Engineer, RES, Division - Bemetara on 24.7.2018 requiring him to verify the deposit and withdrawal entries and then inform, but, thereafter, nothing has been done.
3. In view of the order of this Court, the concerned authority in the office of Accountant General namely Senior Accounts Officer is duty bound to decide the case of the petitioner one way or the other. If the office of Executive Engineer has not submitted any response, the officer in the office

of Accountant General is not expected to defer decision indefinitely as there was a time bound direction given by this Court.

4. Though the time within which the decision was to be taken has elapsed, considering that the authority had proceeded to take decision and for want of information from the office of Executive Engineer, the decision has not been taken till date, instead of initiating contempt proceedings, at this stage, one opportunity is afforded to the concerned officer/Senior Accounts Officer in the office of Accountant General to decide petitioner's claim within 45 days. The Executive Engineer shall provide necessary information as desired by the said communication dated 24.7.2018, if not already submitted. Non-submission of the relevant information by the Executive Engineer shall be treated as an act of willful disobedience of the order of the Court and contempt proceedings may be initiated against the Executive Engineer, RES, Division, Bemetara also.
5. This petition is accordingly disposed off at this stage with liberty to revive in case petitioner's case is not decided within a period of 45 days from the date of submission of copy of this order before the concerned Authority in the office of Accountant General.

Sd/-
(Manindra Mohan Shrivastava)
Judge