

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 855 of 2019

Sewaram Nirmalkar S/o Late Bodiram Aged About 50 Years Incharge
Chief Municipal Officer (Now Suspended), Nagar Panchayat, Narayanpur,
District Narayanpur, Chhattisgarh.

---- Petitioner

Versus

1. Alarmal Mangaidi Working As Special Secretary And Director, Directorate Of Urban Administration And Development, Mantralaya, New Raipur, District Raipur, Chhattisgarh.
2. Dilip Wasnikar Posted As Commissioner, Durg Division, District Durg, Chhattisgarh.
3. Netram Ratnesh Working As Chief Municipal Officer, Nagar Palika Parishad, Dallirajhara, District Balod, Chhattisgarh.

---Respondents

For Petitioner	: Mr. Kamlesh K. Pandey, Advocate.
For Respondent No. 1	: Mr. Syed Majid Ali, Advocate.
For Respondents No. 2 & 3	: Mr. Rahul Tamaskar, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26/11/2019

1. The present contempt petition has been filed alleging non compliance of the order dated 14.03.2019. Vide the said order, this Court had directed the respondents to release subsistence allowance treating the Petitioner to be under suspension pending the disciplinary/departmental enquiry, or till a further fresh order is passed in the Departmental Enquiry. Thereafter, the respondents today produced before this Court the order dated 18.06.2019 which shows that the petitioner has been released of the subsistence allowance vide voucher dated 15.04.2019. For the earlier period, the authorities had already released subsistence allowance vide vouchers dated 31.07.2014 & 17.10.2018.

2. Given the said facts and expecting the respondents that they would continue grant of subsistence allowance to the petitioner till a fresh decision is taken by the respondents. At the same time, it is further directed that the respondents should also take a decision at the earliest whether they intend to hold departmental enquiry or not . If they do not want to hold disciplinary/departmental enquiry, the petitioner has a right to be taken back in service revoking the suspension order.
3. Accordingly, the Contempt Petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge