

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONTEMPT CASE (C) NO. 953 OF 2019**

1. Smt. Geeta Bai, W/o Mangeram Agrawal, aged about 66 years, R/o Village- Chhal, Tehsil- Dharamjaigarh, District- Raigarh (CG)

2. Akshay Agrawal, S/o Mangeram Agrawal, aged about 28 years, R/o Village- Chhal, Tehsil- Dharamjaigarh, District- Raigarh (CG)

... **Petitioners**

versus

Shri Yashwant Kumar, Collector, Raigarh, District Raigarh (CG)

... **Respondent**

For Petitioners	:	Mr. Sanjay Agrawal, Advocate.
For Respondent	:	Mr. Jitendra Pali, Dy. Advocate General.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13/12/2019

1. The present contempt petition has been filed by the petitioners alleging non-compliance of the order dated 10.4.2019 passed by this Court in WPS No. 2699/2019.

2. The direction given by this court to the respondents was to scrutinize the claim of the petitioners in accordance with the rehabilitation scheme and understanding between the State Government and Respondent No.4-SECL and thereafter to pass an appropriate order.

3. The respondents have now filed their reply and along with their reply they have filed a document dated 27.11.2019 passed by the Collector, District Raigarh whereby the claim of the petitioners has been rejected on the ground that the employment would be entitled for only those persons whose land, which is acquired, is minimum that of 0.51 acre, whereas the land which was acquired of the petitioners was only measuring 0.064 acre.

4. Rightly or wrongly, the respondents have now scrutinized the claim of the petitioners and have rejected the same. This Court had directed the respondents to take an appropriate decision on the claim of the petitioners. This Court had never directed or issued a mandamus to the respondents to decide the claim of the petitioners in any particular manner or in favour of the petitioners.

5. Under the circumstances, it is difficult to hold that the act on the part of the respondents is contemptuous, rather, it is a case where there is due compliance of the directions given by this Court. However, if at all, if the petitioners are aggrieved of the order passed by the respondents on 27.11.2019, the remedy available to them would be to challenge the same in writ jurisdiction of the Court and not to assail the same in contempt jurisdiction.

6. Accordingly, with the aforesaid liberty, the contempt petition is disposed of. The respondents are discharged from the contempt proceedings.

/Sharad/

Sd/-
(P. Sam Koshy)
JUDGE