

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 216 of 2020

- Nature Clean Foundation Through its Secretary Sanjay Kumar Bhaskar, S/o - Late Shri Baidnath Singh Aged About 50 Years, Presently Working As Secretary, Nature Clean Foundation, P-07, Sector-02, Agrasen Nagar, Ring Road No. 1, Raipur, District Raipur Chhattisgarh

---- Petitioner

Versus

1. Alarmelmangai D. Chief Executive Officer, State Urban Development Agency, Indrawati Bhavan Nawa Raipur, District Raipur Chhattisgarh
2. Sunil Kumar Jain Collector, Mahasamund District Mahasamund Chhattisgarh

---- Respondents

For Petitioner : Shri Sangharsh Pandey, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

16/03/2020

1. Heard.
2. This Court in WPC No. 3241 of 2019 on 18.09.2019 has passed the following orders:-

"Considering the limited prayer made, if according to the circular of the State Government, the petitioner is entitled, then in such case, the representation of the petitioner may be decided considering those factors as to the eligibility of the petitioner to get the amount. The petitioner shall be further at liberty to make afresh representation within a period of two weeks from today before the concerned respondent and on such representation being made, the same may be decided within a further period of three months from the date of receipt of the representation."

3. Learned counsel for the petitioner would submit thereafter the petitioner has made a representation Annexure C-2, however, the same has been decided

without taking into the true spirit and the circular has not been considered. He further submits that the decision of representation of the petitioner has not been communicated to the office at Mahasamund. He also submits that the eligibility and entitlement to get the amount of the petitioner has not been dealt with in the order dated 18.09.2019. In given facts of the case, the scope of the contempt cannot be enlarged and the Court has to confine to the order of which contempt is sought for. There cannot be any enlargement of scope. The petitioner if is so aggrieved for non payment of amount as now projected, they may avail appropriate remedy available to them under the law. By reading of the order of representation which is filed as Annexure C-3, the representation having been decided, I do not find any contempt has been committed of the order.

4. Accordingly, the contempt petition stands dismissed.

Sd/-

Goutam Bhaduri
Judge

Jyoti