

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 364 of 2020

Ramsagar Sinha S/o Late Shiv Lal Sinha Aged About 60 Years
Retired Constable (G.D.) (Batch No. 821) O/o The Commandant,
2nd Battolion Chhattisgarh Armed Force, Sankri, Bilaspur, District-
Bilaspur (C.G.)

---- Petitioner

Versus

Shri T. R. Ekka The Commandant, 2nd Battolion Chhattisgarh
Armed Force, Sankri, Bilaspur, District- Bilaspur, Chhattisgarh

---Respondents

For petitioner – Shri Rajesh Kumar Kesharwani, Advocate.

For respondent- Shri Atul Kesharwani, Advocate appears on behalf of
Shri V.R. Tiwari, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

21/09/2020

Heard.

1. By order dated 16/12/2019 the court has directed respondent No.4 to decide and pay the retiral dues of the petitioner within a period of two months.
2. Learned counsel for the petitioner submits that since February, 2020 pension has not been paid.
3. Learned counsel for the respondent submits that case of the petitioner has been decided and since pension are to be fixed, letter has already been forwarded, therefore order has already been complied.
4. Perused the order. This court on 16/12/2019 has passed the effective order. Considering the reply Annexure R-1 and R-2, since decision has already been taken by the respondent the orders appears to have been complied. The contempt petition cannot be converted into original writ petition to grant fresh relief. After reading of Annexure R-1 and R-2 which shows that letter has already been forwarded to the Treasury for release of retiral dues, no deliberate disobedience of the order appears

to have been committed. The petitioner shall be at liberty to file writ petition if so advised.

5. Accordingly, the contempt petition is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE