

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 436 of 2020

1. Ankit Kumar Madame, S/o Late Heerakant Madame, Aged About 26 Years, Caste Mahar, Resident of Q. No. 7A, Street No. 5, Sector-1, Bhilai, Tahsil And District : Durg, Chhattisgarh

---- Applicant

Versus

1. Shri Khemlal Verma, Sub Divisional Officer (Revenue), District : Durg, Chhattisgarh

-----Respondent

For Applicant	: Mr. Love Kumar Ramteke, Advocate
For Respondent	: None

Hon'ble Shri Justice P. Sam Koshy

Order on Board

26.06.2020

1. The present contempt petition has been filed alleging non-compliance of the Order passed by this Court in WP(C) No. 4725 of 2019 on 02.01.2020.
2. Perusal of record would show that there was already an order passed by the authorities on 28.05.2017 rejecting the claim of the applicant/petitioner. However, subsequent to the order passed by this Court in WPC No. 4725 of 2019, the respondents have again proceeded with the matter and have passed a fresh order on 07.02.2020. This time also the respondents have rejected the application of the applicant/petitioner.
3. Given the fact that the respondents have again passed an order on merits, this Court is of the opinion that contempt as such is not made out, as the order stands complied-with. Whether the order is justified,

legal or not is a fact which had to be tested by challenging the order dated 07.02.2020 ie., Annexure C-5 in a separate proceeding. The veracity of the order dated 07.02.2020 cannot be tested under the provision of the contempt jurisdiction of this Court.

4. Reserving the right of the applicant/petitioner to avail such remedy, the present contempt petition accordingly, stands rejected.

Sd/-
(P. Sam Koshy)
Judge