

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 590 of 2020

- Fagulal Yadav, S/o Shri Nanhu Ram, Aged About 59 Years R/o Kokaditarai, Tahsil and District – Raigarh, Chhattisgarh.

---- **Petitioner**

Versus

1. Mohan Vishwakarma, The Than In - Charge C M O Presently As Revenue Sub Inspector Nagar Panchayat Kirodimal Nagar Raigarh District - Raigarh Chhattisgarh.
2. Ramayan Pandey, Present Chief Municipal Officer, Nagar Panchayat Kirodimal Nagar Raigarh District - Raigarh Chhattisgarh. (Proposed Contemnors)

---- **Respondents**

For Applicant : Shri Vineet Kumar Pandey, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

06.08.2020

1. This contempt petition has been filed by the petitioner alleging willful disobedience of the order dated 29th January, 2020 passed by this Court in Contempt Case No. 91 of 2020 and MCC No. 980 of 2019.
2. Learned counsel for the petitioner argued that in the spirit of order passed by this Court, as the petitioner was not given any relief on his application under Section 64 of the Land Acquisition Act filed before the Land Acquisition Officer, amount falling to the share of the petitioner, as determined by the Land Acquisition Officer ought to have been paid. It is alleged that without disclosing to the petitioner as to whether any remedy under the law has been taken by Nagar Panchayat, his claim has been kept pending without payment.
3. This Court while disposing off the Contempt Petition No. 91 of 2020 and MCC No. 980 of 2019 vide common order dated 29th January 2020 directed that Nagar Panchayat is obliged to pay appropriate compensation as ordered by the Land Acquisition Officer or if he is

not satisfied by that order, he may take appropriate proceedings.

4. It appears that the local authority is not satisfied with the order passed by the Land Acquisition Officer. Initially they moved an application under Section 64 of the Land Acquisition Act before the Land Acquisition Officer, but Land Acquisition Officer rejected the application. Thereafter, as it appears from letter dated 06.05.2020 Annexure C/8, the local body has taken recourse to civil proceedings by approaching Civil Court. Therefore, at this stage, it cannot be said that non-payment, as directed by Land Acquisition Officer, is an act of contempt.
5. Learned counsel for the petitioner would submit that no specific details have been disclosed to the petitioner with regard to the civil remedy taken by the Nagar Panchayat and letter dated 06.05.2020 is vague.
6. The Petitioner may approach the local body seeking details of the case number and the concerned Court where proceedings have been instituted. If such application is moved before Nagar Panchayat, Nagar Panchayat shall give specific details along with copy of the plaint/application filed before the Civil Court within period of 30 days to the petitioner.
7. The petitioner shall be at liberty to revive contempt petition if eventuality so arises in the future.
8. The present contempt petition is dismissed at this stage.

Sd/-
(Manindra Mohan Shrivastava)
Judge