

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT No. 630 of 2020**

Umashankar Shukla S/o Shri Shivdulare Shukla Aged About 63 Years R/o
Near Gandhi Chowk, Dayalband, Bilaspur, District- Bilaspur Chhattisgarh.

---- Petitioner**Versus**

1. Shri Ankit Anand Managing Director, C.G. State Marketing Federation Limited, 6th Floor, Tower 'c' Commercial Complex, C.B.D. Parisar, Sector-21, Block 'c', Nava Raipur, Atal Nagar, P.O. - Rakhi, District - Raipur Chhattisgarh.
2. Shri U.B.S. Rathiya Secretary C.G. State Marketing Federation Limited, 6th Floor, Tower 'c' Commercial Complex, C.B.D. Parisar, Sector-21, Block 'c', Nava Raipur, Atal Nagar, P.O. - Rakhi, District - Raipur Chhattisgarh.
3. Shri Prashant Lal Chief Accountant, C.G. State Marketing Federation Limited, 6th Floor, Tower 'c' Commercial Complex, C.B.D. Parisar, Sector-21, Block 'c', Nava Raipur, Atal Nagar, P.O. - Rakhi, District - Raipur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Atul Kumar Kesharwani, Advocate
For Respondents	:	Mr. Prafull N. Bharat, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****17/09/2020**

1. The present contempt petition has been filed alleging non-compliance/disobedience of the order dated 01.11.2018 passed in WPS No. 7293/2018.
2. The plain reading of the said order dated 01.11.2018 would show that this Court had only stayed the recovery as regards the petitioner till the next date of hearing. Today when the contempt petition is taken up, on a query put to the counsel for the petitioner,

he admits that no recovery has been made from the petitioner after the impugned order was passed.

3. The counsel for the petitioner submits that the reason that he has filed the contempt petition is the withholding of the arrears of difference of pay that the petitioner was entitled for by virtue of the implementation of the 7th pay commission and also on the ground of non-releasing of the retiral benefits.
4. Both these grievances of the petitioner are not one which can be brought within the ambit of a disobedience of the order dated 01.11.2018. The interim order passed by this Court in the writ petition was only to the extent of staying of the recovery proceedings and the respondents have not initiated any recovery proceedings after the interim order was passed by this Court.
5. In view of the same, this Court is of the opinion that no contempt as such is made out. The remedy available to the petitioner would be for availing appropriate remedies under the law governing the field for redressal of his grievance for receiving the arrears of the 7th pay revision and also so far as release of retiral benefits are concerned.
6. With the aforesaid observations, the present contempt petition stands disposed of.

Sd/-
(P. Sam Koshy)
Judge

Ved