

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

Contempt Case(C) No. 814 of 2020

1. Lal Mohan Thakur, S/o Rajeshwar Thakur, Aged About 38 Years, R/o Nagara, Post Chandranagar, Janpad Panchayat Ramchandrapur, District : Balrampur, Chhattisgarh

---- Applicant

Versus

1. Vinay Kumar Gupta, Chief Executive Officer, Janpad Panchayat Ramchandrapur, District : Balrampur, Chhattisgarh

---Respondent

For Applicant	:	Mr. Sushobhit Singh, Advocate
For Respondent	:	None

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02.11.2020

1. The present contempt petition has been filed alleging non-compliance of the Order passed by this Court in WPS No. 2302 of 2019 on 05.04.2019.
2. It would be relevant at this juncture to take note of the observations made by this Court in the aforesaid writ petition:-

“4. Given the facts and circumstances of the case, since the petitioner has made a representation to the authorities, let the authority concerned take a decision on the representation of the petitioner in accordance with its merit.

5. It is made clear that this Court has not expressed any opinion on the entitlement of the petitioner or on the merit of the case. The authorities are expected to pass an order purely in accordance with the rules and regulations governing the field and take a decision on the representation of the petitioner within a period of 4 months from the date of receipt of copy of this order.”

3. It has been pleaded by the counsel for the petitioner that pursuant to the order passed by this Court, the respondents took a decision and granted appointment to the petitioner vide order dated 14.08.2019 and the petitioner assumed his duties. However, subsequently after the earlier officer got transferred and a new officer took charge, the new officer took a fresh decision and discontinued the services of the petitioner, based on which the present contempt petition has been filed.
4. At the outset, this Court is of the firm view that once when on 14.08.2019, the respondents considered and allowed the petitioner to join, the order passed by this Court stands fully complied with. In the event of any subsequent development that arises, even if it includes the discontinuance of service of the petitioner, the same would be a fresh cause of action. The said fresh cause of action cannot be tested under the contempt jurisdiction of this Court, the same would have to be questioned by way of a fresh proceedings altogether.
5. The contempt petition thus does not have any merits and therefore the same stands disposed off, reserving the right of the applicant/petitioner to avail appropriate remedies open to him.

Sd/-
(P. Sam Koshy)
Judge