

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 682 of 2019**

Maniram Baiga S/o Shri Panchram Baiga, Aged About 52 Years,
Presently Posted As Patwari, Khairagarh, R/o Narghoda, Tahsil Masturi,
District Bilaspur, Chhattisgarh

---- Petitioner**Versus**

1. Shri C. P. Baghel Sub Divisional Magistrate (Revenue), Tahsil Khairagarh, District Rajnandgaon, Chhattisgarh
2. Shri Sushil Gajbhiye, Divisional Joint Director, Treasury And Pension Fixation, Division Durg, District Durg, Chhattisgarh
3. Shri Anil Sahu, Assistant Grade I, Joint Director Office, Treasury And Pension Fixation, Division Durg, Durg, District Durg, Chhattisgarh
4. Ku. Neha Bhedia, Tehsildar, Khairagarh, District Rajnandgaon, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Abhyuday Singh, Advocate
For Respondent no.1	:	Mr. Anup Majumdar, Advocate
For Respondents 2 & 3	:	Mr. Pawan Shrivastava, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****12.03.2020**

1. Present is the second contempt petition which has been filed alleging non-compliance of the order dated 04.09.2018 passed in WPS No. 5751/2018.
2. In the earlier round, the petitioner had preferred a contempt petition i.e. CONT. No. 199 of 2019 which stood disposed of on 01.05.2019.

3. The contention of the counsel for the petitioner is that subsequent to the disposal of the earlier contempt petition salary for the month of May, 2019 was paid at a reduced rate than what was agreed upon by the respondents while disposal of CONT No. 199 of 2019.
4. Counsel appearing for the respondents have submitted their reply and along with their reply they have produced certain documents where in the service book itself, the details of the order dated 22.04.2019 has been reflected and the gross salary of the petitioner has been fixed at Rs.49,044/-. The respondents have also enclosed along with reply the bills for subsequent months whereby the net salary after all deductions is reflected at Rs.45,995/-.
5. On a query being put to the counsel for the petitioner he submits that as of now he does not have any instruction so far as to what salary the petitioner is actually receiving.
6. The petitioner has filed the present contempt petition only on the pay slip that the petitioner had received for the month of May, 2019 where less salary was paid to the petitioner which according to the counsel for the respondents, occurred because of timely approval not being obtained from the competent authority i.e. the Joint Director, Treasury.
7. Given the fact that the respondents have filed their reply along with relevant documents showing that subsequent period up till September, 2019 for which the records are available i.e. the time when the reply was filed the petitioner's net salary was around Rs.45,995/-, this Court is of the opinion that no contempt as such has been committed by the respondents. Moreover, the Writ Petition (S) No. 2819/2016 filed by the petitioner is still pending consideration before this Court.

8. In view of the same, the present contempt petition stands disposed of and the contemnors stand discharged from the contempt proceedings. In the event of any discrepancy so far as the amount of salary payable to the petitioner is concerned still survives, the petitioner would be at liberty to claim the same by way of a fresh proceeding altogether.

Sd/-
P. Sam Koshy
Judge