

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONTEMPT CASE (C) NO. 922 OF 2020**

- Rastriya Koyla Kamgar Sangh (INTUC), Through General Secretary- P.K. Rai S/o Late Shri Rajmangal Rai, Age About 67 Years, Post North Jhagrakhand Colliery, Ward No. 15, Police Station North Jhagrakhand, District Korea (CG)

... Petitioner**versus**

1. Shri A.K. Saxena, General Manager, P-M.P. and Industrial Relation, SECL, Seepat Road, Bilaspur, District Bilaspur (CG)
2. Shri Gopal Naryan Singh (Expelled From President of SEKMC), S/o Late Manoram Singh, Age About 51 Years, Quarter No. II B/34, J.P. Colony, SECL, Police Station Korba, District Korba (CG)

... Respondents

For Petitioner : Mr. S.P. Kale, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****02/12/2020**

1. The present Contempt Petition has been filed by the Petitioner alleging willful disobedience of the Order passed by this Court on 13.11.2018 in WPL No. 87/2018.
2. The said Writ Petition was not filed by the Petitioner herein but was filed by some other party. Petitioner herein was only an intervenor in the said Writ Petition.
3. The said Writ Petition was filed only questioning the Order dated 11.1.2017 passed by the Government of India, Ministry of Coal and this Court in the light of the development that subsequently took place set aside/quashed the said order and accordingly ordered that the position would stand as it stood prior to 11.1.2017.
4. Grievance of the Petitioner now is that in the subsequent notice which the Respondents have issued for IR meeting, i.e. dated 18.1.2020, the Petitioner has been left out deliberately in spite of the fact that prior to 11.1.2017 it was not the Petitioner who was the lawful office bearer of the Union and there is also an order in his favour from the Industrial Court, Raipur in this regard passed as early as on 19.1.2016.

5. Considering the specific order that this Court has passed on 13.11.2018 in the aforesaid Writ Petition, this Court is of the opinion that the grievance of the Petitioner is not that which would fall within the ambit of Contempt of Court. It may be a case where the Petitioner may have a grievance on the act of the Respondents in not issuing notice to the Petitioner but that would be a separate and an entirely new cause of action which cannot be taken cognizance for exercising the contempt jurisdiction of this Court.

6. Given the said facts, this Court does not find the present to be a strong case for issuing notice to the Respondents. Accordingly, the Contempt Petition is being disposed of, leaving open for the Petitioner to approach the appropriate forum/court under the law.

7. Contempt Petition accordingly stands disposed of.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE