

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 1168 of 2019**

Ramesh Kumar Thakre S/o Late Shri Uttam Thakre, Aged About 62 Years, Occupation Retd. Govt. Servant, R/o. Besides Bihari Kirana Stores Gandhi Nagar Kalibadi Chowk Raipur, District Raipur Chhattisgarh

---- Petitioner**Versus**

1. Shri Gaurav Dwivedi, Secretary, School Education Department Mahanadi Bhawan, Capital Complex, Atal Nagar, Raipur, District Raipur Chhattisgarh
2. Shri Mohd. Imran, Divisional Joint Director, Account And Pension Raipur, District Raipur, Chhattisgarh
3. Shri M. L. Sonwani, District Education Officer, Gariyaband, District Gariyaband, Chhattisgarh

---- Respondent/Contemnors

For Petitioner	:	Mr. Sunil Sahu, Advocate
For Respondent no.1	:	Mr. S. C. Verma, A.G., Mr. V. R. Tiwari, Addl. A.G. & Mr. Vipin Tiwari, Advocate
For Respondent no.2	:	Mr. Manoj Chauhan, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order On Board****06.03.2020**

1. The contempt petition has been filed alleging non-compliance of the order dated 24.09.2019 passed by this Court in WPS No. 7680 of 2019.
2. On the previous date of hearing, this Court had ordered for the presence of all the contemnors so as to frame charge under the

Contempt of Courts Act.

3. It has been informed that contemnor no.3 Shri M. L. Sonwani has since expired and contemnor no.2 is present before this Court. There is also an application by contemnor no.1 seeking exemption from personal appearance before the Court on the ground that his presence before the State Assembly which is in session today is required.
4. The respondent/contemnors today have shown their bonafide and sought for dropping the contempt proceedings on the ground that subsequent to the order passed by this Court, the respondents have released an amount of Rs.5,11,751/- towards gratuity on 25.02.2020 and Rs.50,706/- towards arrears of pension on 27.02.2020. Earlier to this also, an amount of Rs.1,52,742/- was released to the petitioner on 29.01.2020. Counsel for the respondents submits that before this Court had disposed of the writ petition, there was already a substantial amount of retiral dues amounting Rs.15,90,484/- released to the petitioner on 16.08.2019. In addition, Rs.4,96,168/-, Rs.1,49,417/- and Rs.17,306/- were also released on the same date i.e. on 05.07.2019. Thus, substantial retiral dues and pensionary benefits payable to the petitioner have since been released. Counsel for the respondents further submits that except for an amount of Rs.4,50,000/- which has been retained by the respondents on account of certain excess amount being paid to the petitioner, the entire amount has since been released.
5. Given the aforesaid fact that the respondents have released the substantial amount payable to the petitioner by way of retiral and pensionary benefits, this Court does not intend to proceed further with the contempt proceeding and the same stands dropped herein. The

exemption from personal appearance on behalf of the respondent no.1 also for the aforesaid reason stands allowed and the respondents are discharged from the contempt proceedings.

6. However, it shall be open for the petitioner to agitate by way of a fresh proceeding in respect of any other claim which stands unpaid to the petitioner or which stands withheld by the respondent authorities for any reason.
7. The contempt petition accordingly stands disposed of.

**Sd/-
P. Sam Koshy
Judge**