

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 128 of 2021

Maghan Singh S/o Shri Kanwal Singh, Aged About 59 Years Posted as labour In the Office Of Executive Engineer, PWD Pendra Division, Pendra Road, District Bilaspur Chhattisgarh.

---- Petitioner

Versus

1. Pardeshi Siddharth Komal Singh Secretary Department Of P.W.D. Mahanadi Bhawan, Mantralaya, Atal Nagar, Nawa Raipur (Chhattisgarh)
2. Saransh Mittar, Collector, District Bilaspur (Chhattisgarh)
3. Khelan Prasad Sant, Superintendent Engineer P.W.D. Bilaspur Division, District Bilaspur (Chhattisgarh)
4. Ramchandra Chari, Executive Engineer P.W.D. Pendra Division, Pendraroad, District Gaurela-Pendra-Marwahi (Chhattisgarh)
5. M.K. Jain, Sub Divisional Officer, P.W.D. Sub Division Pendraroad, DistrictGaurela-Pendra-Marwahi (Chhattisgarh)

---Respondents

For petitioner – Shri Achyut Tiwari, Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order

08/02/2021

Heard.

1. Instant contempt petition has been filed for disobeying the order dated 3/03/2020 passed in WPS No.1450/2020.
2. Learned counsel for the petitioner submits that the petitioner has wrongly been retired and has been superannuated on 29/02/2020 and order dated 3/03/2020 has not been complied with.
3. Order dated 3/03/2020 passed in WPS No.1450/2020 reads as under:-

“Learned counsel for the petitioner would submit that the date of birth of the petitioner is 02.07.1961 which was recorded in the service book, however, unilaterally the respondents have changed

the date of birth of the petitioner to 05.02.1958 whereby he has been superannuated on 29.02.2020.

Learned State counsel is directed to file reply.

In the meanwhile, it is directed that in case eventually it is held that the petitioner has wrongly been retired then he would be entitled for the service benefits which are admissible to him according to the date of birth on 02.07.1961.”

4. Since it is submitted that WPS No.1450/2020 has not yet been decided, therefore at this stage any finding by this Court while deciding the contempt petition would amount to final adjudication of WPS No.1450/2020, no deliberate disobedience appears to have been committed by either of the parties.

5. Contempt petition *sans* merit and it is accordingly dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE