

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT. NO. 300 OF 2018**

L.R. Pathak S/o S/o Late Shri Ramprasad Pathak Aged About 67 Years R/o Plot No. 97, Street No. 4, Bardiya, Vihar, Amlidih, District- Raipur, Chhattisgarh

---- Petitioner**Versus**

1. Vivek Acharya, The Commissioner, Employment And Training, Indrawati Bhawan, First Floor, District- Raipur, Chhattisgarh.
2. Premanand Gabhel, Joint Director (Training) Industrial Training Institute, Raipur Circle, District Raipur Chhattisgarh. At Present Circle Office, Industrial Training Institute Campus, Saddu, District- Raipur, Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Prakash Tiwari, Advocate
For Respondent No.1	:	Mr. Akhilesh Kumar, Advocate
For Respondent No.2	:	Mr. Uttam Pandey, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****30/07/2021**

1. The present contempt petition has been filed alleging non-compliance of the order passed by this Court in WPS No. 2767/2017.
2. The direction by this Court was for releasing the admissible dues payable to the petitioner at the earliest preferably within a period of 60 days. The respondents have subsequently entered appearance and have filed their reply and stated that in the process of scrutinizing the retiral dues, it has been reflected that there is a recovery of more than Rs.10 lakh to be made from the petitioner and that was the reason, the retiral dues could not be released and settled.
3. The recovery notice so initiated against the petitioner has already been

subjected to challenge in WPS No. 4187/2018 and this Court has already vide order dated 27.06.2018 stayed the further recovery proceedings initiated against the petitioner and the writ petition is still pending.

4. Given the fact that the respondents have contended there to be a recovery against the petitioner, which has led to the non-finalization of the retiral dues, this Court is of the opinion that respondents have been able to show some justifiable and satisfactory reasons for non-compliance of the order within the stipulated period.
5. The contempt petition therefore at this juncture stands disposed of permitting the petitioner to assail the action of recovery in the writ petition already preferred i.e. WPS No. 4187/2018 and the dues payable to the petitioner would be subject to the outcome of the said writ petition.
6. The contempt petition accordingly stands disposed of and the respondents stand discharged from the contempt proceedings.

Sd/-
(P. Sam Koshy)
Judge

Ved