

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT. NO. 360 OF 2021**

Yugal, S/o Maniklal Bhattad, aged about 65 years, Retired Senior Manager (Legal) of South Eastern Coalfields Ltd. (SECL) - Bilaspur, R/o Shiv Kuti, behind Maheshawari Panchayat, Tekdi Road, Sitaburdi, Nagpur - 440012 (Maharashtra)

... Petitioner**versus**

1. Ambika Prasad Panda, Chairman-cum-Managing Director, South Eastern Coal Filed Limited, Seepat Road, Bilaspur Chhattisgarh 495005
2. Dipak Kumar, General Manager (P/EE), South Eastern Coalfields Ltd., Seepat Road, Bilaspur, Chhattisgarh - 495220

---- Respondents

For Petitioner : Ms. Sandhya Maniyar, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****08/06/2021**

1. The present Contempt Petition has been filed alleging willful non-compliance of order dated 9.4.2019 passed in WPS No. 2620 of 2019.
2. Perusal of the contents of the Contempt Petition would reveal that after the matter was decided by this Court on 9.4.2019, the Respondent-SECL vide order dated 12.7.2019 referring to the directions given by this Court has decided the representation of Petitioner. It is this order which according to Petitioner amounts to contempt.
3. Having gone through the contents of the order, this Court is of the opinion that the only direction that this Court had given to Respondent-Management was to consider and decide the representation of

Petitioner. There was no specific direction or indication or observation made by this Court. It was left for the Management to take a decision on merits.

4. Respondent-SECL rightly or wrongly has taken a decision on the representation of Petitioner on 12.7.2019. Petitioner herein has also received that order. Thus, the order dated 9.4.2019 in the opinion of this Court stands duly complied with and the said order becomes a fresh cause of action. Rightly or wrongly the direction of this Court for taking an appropriate decision has been done by the passing of the order on 12.07.2019. Now whether the said order dated 12.07.2019, is valid, legal and justified cannot be tested invoking the contempt jurisdiction of this Court. The veracity of that order has to be tested by putting the order to judicial review by way of a fresh writ petition. Given the said facts, this Court is of the opinion that no contempt as such is made out.
5. Contempt Petition accordingly stands disposed of, reserving the right of Petitioner to take appropriate recourse available to him in accordance with law.

Sd/-
(P. Sam Koshy)
Judge

Ved