

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 792 of 2021**

1. Chand Ram Manjhi S/o Sundru Manjhi Aged About 46 Years O/o SDO PWD Bridge Sub Division Kanker, District Kanker Chhattisgarh.
2. Santosh Kumar Paikra S/o Shri Nawal Sai Paikra Aged About 50 Years O/o The Executive Engineer PWD Ramanujganj, District Balrampur Chhattisgarh.
3. Pawan Singh Raj S/o Shri S.K. Raj Aged About 52 Years O/o SDP PWD Bridge Construction Sub Division District Raigarh Chhattisgarh.
4. Santosh Kumar Pandole S/o Shri Dheemra Pandole, O/o SE PWD Bridge Construction Circle Raipur, District Raipur Chhattisgarh.
5. Sailesh Kumar Suryavanshi S/o Late R.B. Suryavanshi Aged About 48 Years National Highway Division No. 1 Pension Bada Raipur, District Raipur Chhattisgarh.

---- Petitioner

Versus

1. Siddharth Komal Singh Pardeshi Secretary, Public Works, Department, Government Of Chhattisgarh, Mahanadi Bhavan, Mantralaya, Naya Raipur Atal Nagar, Raipur Chhattisgarh
2. Vijay Kumar Bhatpahari Engineer In Chief, Public Works Department, Sector 19, Naya Raipur, Atal Nagar, Raipur Chhattisgarh.
3. Gyaneshwar Kashyap Chief Engineer Planning Office Of The Engineer In Chief Public Works Department, Sector 19, Atal Nagar, Raipur Chhattisgarh.
4. S.K. Kori Project Director, Adb Project, Cg Road Development Project Pwd Raipur Chhattisgarh.
5. V.K. Lal Controller Finance Office Of The Engineer In Chief Public Works Department Sector 19, Atal Nagar, Raipur Chhattisgarh.

----Respondents

For Petitioner : Mr. Akshay Uppal, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order On Board****29.10.2021**

1. The present contempt petition has been filed alleging willful disobedience of

the order passed by this Court in WP(S) No. 958 of 2020 decided on 24.02.2021.

2. Perusal of the records would show that the Applicants herein were not in-fact the petitioners in the original writ petition, they were the interveners in the said writ petition. Further perusal of the order passed by this Court would show that this Court had disposed of the said writ petition setting aside the impugned order in two writ petitions i.e. WP(S) No. 958 of 2020 and WP(S) No. 3601 of 2020. The matters were remitted back to the respondents for a fresh decision to be taken by the concerned Committee in the light of the observations made by this Court.
3. It is undisputed that the Committee has subsequently taken a decision. The Committee having taken a decision, the subsequent decision thereafter becomes a fresh cause of action. The veracity of the subsequent cause of action cannot be tested exercising the contempt jurisdiction of this Court. The same would have to be put to test by way of a fresh writ petition. Accordingly, this Court is of the opinion that it is not a case of a contempt made out nor is it worth issuing notice to the respondents. Therefore, the contempt petition fails and is accordingly rejected.

Sd/-

(P. Sam Koshy)
Judge