

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 990 of 2019

1. Sanjeev Kumar Dey S/o- B. B. Dey Aged About 56 Years R/o- Lakhe Nagar Chowk, Near M.P.E.B. Office, Khokho Talab Road, Raipur, District Raipur, Chhattisgarh.

---- Petitioner

Versus

1. Shri D. C. Jain Chief Engineer, Mahanadi Godawari Kachhar, Water Recourses Department, Shahid Bhagat Singh Chowk, Raipur, District Raipur, Chhattisgarh., District : Raipur, Chhattisgarh
2. Shri M. S. Chhabra Executive Engineer, Mahanadi Godawari Kachhar, Water Recourses Department, Sihawa Bhawan, Civil Line Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Respondents.

For Petitioners	: Shri Y. C. Sharma, Sr. Counsel Shri Ajay Chandra, Advocate.
For Respondents	: Shri Chandresh Shrivastava, Adv.

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 in WP(S) No. 1153 of 2005 decided on 10.04.2019.
2. The respondents having entered appearance have filed their reply and along with their reply, they have submitted certain documents, particularly Annexure R-1 and R-2, which would clearly reflect that pursuant to the order passed by this Court, the respondents have considered and decided the claim of the petitioner and while deciding the claim, the request of the petitioner has been rejected. Now whether the order passed by the authorities concerned,

Annexure R-1 and R-2 is proper, legal and justified is one which could be tested only under the power of judicial review conferred upon this Court under the writ jurisdiction.

3. As regards the direction that this Court had issued while disposing of the previous writ petition, it was only that the respondents should consider the representation of the petitioner and to pass an order in accordance with the rules and regulations governing the field. Rightly or wrongly, the respondents have in-fact passed orders Annexure R-1 and R-2.
4. In view of the order having been passed pursuant to the order passed by this Court, this Court is of the firm view that the order so passed by this Court stands complied with. If the petitioner is aggrieved of the subsequent order passed by the respondents, the only recourse available to them was to challenge the two orders by way of a fresh writ petition.
5. The contempt proceedings accordingly stands disposed of at this juncture, reserving the right of the petitioner to approach the Court, if he so wants to challenge two orders Annexure R-1 & R-2 separately by a separate writ petition.
6. The contempt petition accordingly stands disposed of.

Sd/-

(P. Sam Koshy)
Judge