



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 22-11-2022

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

CONTEMPT PETITION No.6 of 2022

K.G.Balachandar

...

Petitioner

-VS-

1.Shri Kuldiep Singh, I.P.S.,
The Director General, CRPF, CGO Complex,
Block-I, Lodhi Road,
New Delhi – 110 003.

2.Shri Vitul Kumar, I.P.S.,
The Inspector General of Police (Pers-I),
Directorate General, CRPF, CGO Complex,
Block-I, Lodhi Road,
New Delhi – 110 003.

...

Respondents

Contempt Petition has been filed under Section 11 of the Contempt of Courts Act, 1971, to punish the respondents for disobeying the order, dated 15.02.2021, passed in W.A.No.509 of 2021, on the file of this Court.

For Petitioner : Mr.K.Ravi Anantha Padmanabhan



For respondents : Mr.R.Sankara Narayanan,
Additional Solicitor General,
for Mr.Venkataswamy Babu,
Central Government Standing Counsel.

ORDER

When the matter was taken up for hearing on the previous occasion, Mr.R.Sankara Narayanan, learned Additional Solicitor General, appearing for the respondents, had produced a copy of the Communication, dated 02.11.2022, to the effect that the case of the petitioner was considered for notional promotion as Deputy Commandant from 08.10.2012 on par with Shri Nitesh Kumar, who was his immediate junior, and this Court also posed a question as to whether the monetary benefits due to the petitioner were paid from 08.10.2012.

2. Today, a copy of another Communication, received through e-mail, has been produced before this Court by the respondents, stating that the petitioner would not be entitled to any arrears, as he was drawing the pay scale of Deputy Commandant and further promotion with effect from 08.10.2012 was granted and that he would not be entitled to any further fixation of pay in the rank of Deputy Commandant.



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3. The above fact has not been refuted by the petitioner. However, it is stated that the junior of the petitioner, namely, Shri Nitesh Kumar, whose name is referred to in the Communication, dated 02.11.2022, has been promoted to a higher position and that the petitioner is still in the lower rank.

4. Since this Court has already passed final order, which has been complied with, we do not express any opinion with regard to further promotion of the petitioner. However, we make it clear that in case the petitioner is otherwise found eligible based on the DPC, that may be conducted, which we expect to be convened at the earliest point of time, the respondents shall consider the case of the petitioner for further promotion on par with his junior, as this Court has already held that the petitioner had suffered injury out of and in the course of employment.

5. Contempt Petition is, accordingly, closed. No costs.

Index : Yes/No
Internet : Yes/No
Speaking / Non-speaking Order

(S.V.N.,J.) (S.K.R.,J.)
22-11-2022

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To
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2.Shri Vitul Kumar, I.P.S.,
The Inspector General of Police (Pers-I),
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5/5



Cont.P.No.6/2022

S.VAIDYANATHAN,J.
AND
SENTHILKUMAR RAMAMOORTHY,J.

dixit

CONT.P.No.6/2022

22-11-2022