HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Civil Contempt Petition No. 581/2020
CNR: RJHC020413382020 | URN: CCP / 598U / 2020

Gopal Prasad S/o Shri Bansidhar, R/o Dabri Via Chomu, District Jaipur.

----Petitioner

Versus

1 Shri Naveen Jain Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.

2 Ganesh Kumar Sharma, The Chief Manager/manager Finance, Rajasthan State Road Transport Corporation, Nagour.

3 Shri Sandeep Verma, Managing Director, Rsrtc, Parivahan Marg, Jaipur (Presently)

4 Smt. Usha Ram Narayan Choudhary, Chief Manager/manager Finance, Rsrtc, Nagour. (Presently).

----Respondents

For Petitioner(s) : Mr. Mirza Faisal Baig
For Respondent(s) : Mr. Rajpal Dhankar

HON'BLE MR. JUSTICE BIPIN GUPTA

Judgment / Order

19/11/2026

1. After arguing for some time, learned counsel for the petitioner submits that though the retiral benefits and the arrears have been paid in terms of the order, but his right of seeking GPF instead of CPF has not been given.

2. Learned counsel for the petitioner submits that the termination order passed against him was not sustained by the learned Labour Court. The writ petition filed by the respondents challenging the said order was also dismissed. Thus, the petitioner was entitled to all consequential service benefits. Since the said

benefits were not granted to him, he was constrained to file S.B. Civil Writ Petition No. 3358/2012, which was decided on 22.03.2017, with a direction to grant him all retiral benefits along with the selection scale.

3. Learned counsel for the petitioner further submits that during the period when he remained out of service, he could not exercise his option. Therefore, he submits that the respondents' action of making payment under the CPF Scheme instead of granting the benefit of the GPF Scheme amounts to contempt of the order passed by this Court.

4. *Per contra*, learned counsel for the respondent-contemnor submits that there was no specific direction regarding the petitioner's entitlement under either the CPF Scheme or the GPF Scheme. He submits that the only direction issued by the Co-ordinate Bench was to pay the petitioner all retiral benefits.

5. Learned counsel for the respondent-contemnor further submits that on the date of his superannuation, the petitioner was not a member of the GPF Scheme but was a member of the CPF Scheme. He also submits that, if the petitioner seeks to exercise any option in this regard, he would be required to pursue an independent remedy, which cannot be adjudicated upon in the present contempt proceedings. Hence, he submits that the contempt petition deserves to be dismissed.

6. Heard learned counsel for both the parties and perused the material available on record.

7. This Court finds that substantial compliance with the order passed by the Co-ordinate Bench has been made, as the retiral benefits payable under the scheme of which the petitioner was a

member on the date of his superannuation have been paid to him, including the arrears. So far as the petitioner's grievance regarding the non-grant of an option to opt for the GPF Scheme is concerned, the same does not fall within the scope of the original writ petition, compliance with the order passed therein being the subject matter of the present contempt proceedings. Therefore, this Court finds no reason to continue with the present contempt proceedings.

8. The present civil contempt petition is closed and stands disposed of.

9. Notices stands discharged.

10. However, the petitioner shall be at liberty to raise his grievance regarding the availability of an option to opt for the GPF Scheme, if permissible under the applicable rules, by availing an appropriate remedy in accordance with law.

(BIPIN GUPTA),J

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