

(2017) 12 J&K CK 0046
In the Jammu And Kashmir High Court
Case No : 230 of 2015

CEAT Engineering Works Bijbehara

APPELLANT

Vs

Rajnesh Bal & Ors.

RESPONDENT

Date of Decision : 19-12-2017

Acts Referred:

Citation : (2017) 12 J&K CK 0046

Hon'ble Judges : Ali Mohammad Magrey

Bench : SINGLE BENCH

Advocate : M. Iqbal Jan, Sajad Mohi-ud-Din

Judgement

1. In terms of order of this Court dated 13th of November, 2017, the respondents/contemnors are present in person before the Court.

2. In the instant contempt petition, the petitioner alleges violation of final order dated 19th of March, 2014, passed by this Court in OWP No.

1623/2012, whereby this Court, while disposing of the said writ petition, had directed that the respondents shall frame a Committee in terms of the

Government order No. 45-Works of 2002 dated 25th of January, 2002, for scrutiny of the pending liability of the petitioner on the basis of record

and consider the claim of the petitioner for release of outstanding amount due to him on account of execution works undertaken by him. The said

report, on examination, has been, vide communication bearing No. MA/1401-05 dated 28th of September, 2017, submitted to the Superintending

Engineer, PHE Mechanical Circle South, Srinagar, by the Executive Engineer, PHE Mechanical Division Sough, Awantipora (B).

3. On notice, the respondents have filed the statement of facts, perusal whereof reveals that the Committee has been constituted in tune with the

directions of this Court, which has submitted its report. The said report has been annexed as Annexure-R to the statement of facts.

4. Since the respondents/ contemnors have complied with the directions of this Court by constituting the Committee and the Committee, on its

part, has framed the report, which report has been submitted to the Superintendent Engineer, for decision, therefore, the order of this Court dated

19th of March, 2014, passed in OWP No. 1623/2012, has been complied with.

5. Learned counsel for the petitioner submits that the ultimate result of the order passed by this Court in terms of judgment dated 19th of March,

2014, has reference to the consideration for making outstanding payments on account of the report.

6. The present incumbent/respondent No.1, when asked, submits that he, on adjustment, has been recently made the Chief Engineer, Mechanical

Engineering, therefore, he has issued instructions to the concerned quarters for taking final decision in the matter.

7. In view of above observations, the instant contempt petition shall stand settled and in case the petitioner is aggrieved of any decision with

reference to his entitlement he can sort out the same and file appropriate proceedings as provided under law.

8. Contempt petition alongwith all connected MP(s) shall stand closed as above.