

(2020) 03 CHH CK 0089
In the Chhattisgarh High Court
Case No : Contempt Case No. 567 Of 2019

J.P. Yadav And Ors

APPELLANT

Vs

K.D.P. Rao Additional Chief Secretary And Ors

RESPONDENT

Date of Decision : 13-03-2020

Acts Referred:

Contempt Of Court Act, 1971 — Section 12
Constitution Of India, 1950 — Article 215

Citation : (2020) 03 CHH CK 0089

Hon'ble Judges : Sharad Kumar Gupta, J

Bench : Single Bench

Advocate : Neeraj Choubey, Ankit Verma, Jitendra Pali

Final Decision : Dismissed

Judgement

@JUDGMENT-JUDGMENT

Sharad Kumar Gupta, J

1. The applicants have preferred this contempt petition under Section 12 of the Contempt of Court Act, 1971 (in short 'Act of 1971') read with Article 215 of the Constitution of India.

2. Earlier while deciding the bunch of writ petitions(s) bearing W.P.S. No. 1142/2013 and other matters filed by the applicants, this Court vide common order dated 15-1-2019 Annexure C-3, has observed in para 5 as under :-

"5. In view of the same, the impugned order dated 30-1-2013 stands quashed. The respondents/State authorities however are given liberty to take a fresh decision in accordance with law."

3. From aforesaid observation it is clear that this Court has granted liberty to the State authorities to take a fresh decision in accordance with law. No time was fixed by this Court. As per reply of non-applicants matter is still pending before State authorities. Prima facie it does not appear that non-applicants have

committed any deliberate breach of that order.

4. Consequently, this Court finds that no prima facie contempt case is made out against the non-applicants. Instant contempt petition sans substance and is hereby dismissed.

5. Parties shall bear their own costs.