

(2021) 04 MAN CK 0018
In the Manipur High Court
Case No : CONT.CAS(C) No. 73 Of 2020

Ningambam Inaomacha Singh

APPELLANT

Vs

V. Vulumang & Anr.

RESPONDENT

Date of Decision : 30-04-2021

Acts Referred:

Citation : (2021) 04 MAN CK 0018

Hon'ble Judges : Sanjay Kumar, J

Bench : Single Bench

Advocate : L Sillori, Y Nirmolchand, L Raju, U Augusta

Final Decision : Dismissed

Judgement

Mr. B. Prem Sharma, learned counsel, appears for the petitioner, and Mr. L. Raju, learned counsel, appears for the respondents.

This contempt case was filed alleging willful disobedience to the order dated 17.05.2019 passed by this Court in W.P. (C) No. 1066 of 2015. The said

writ petition was filed by the petitioner herein, along with two others, assailing the orders passed by the Director of Health Services, Manipur, rejecting

their claims for payment of wages during certain periods of time. By the order dated 17.05.2019, this Court observed that no specific direction could

be given to pay wages to the petitioners unless proof of their employment on contract/temporary basis was produced. The Director of Health

Services, Manipur, was accordingly directed to cause an enquiry in that regard by taking a report from the Medical Superintendent concerned. This

Court further directed that, in the event their claims proved to be correct, the State would be duty bound to pay wages for the services rendered by

them. This exercise was to be completed within a time frame.

Alleging willful disobedience to the aforestated order, one out of the three writ petitioners filed the present contempt case.

While so, Mr. L. Raju, learned counsel appearing for the respondents, would state that the aforestated order was duly complied with by the Director

of Health Services, Manipur, as evidenced by his order dated 21.08.2020. A copy of the said order is placed on record. Perusal thereof reflects that

the Director, upon holding an enquiry, opined that the writ petitioners could not produce any documents in proof of their engagement either on contract

or on temporary basis. He accordingly rejected their claims as not tenable in law.

In the light of the above order dated 21.08.2020, the order passed by this Court in W.P. (C) No. 1066 of 2015 stands duly complied with, albeit with

some amount of delay. However, this Court is not inclined to take a serious view of the delay, given the circumstances and the situation caused by the

Covid-19 pandemic over the past year.

Further, if the petitioner has any grievance with regard to the aforestated order dated 21.08.2020 of the Director of Health Services, Manipur, he

would necessarily have to seek redressal thereof by way of independent proceedings in accordance with law and due procedure as the validity of the

said order cannot be examined by this Court in exercise of contempt jurisdiction.

Reserving liberty to the petitioner to do so, if he so chooses, this contempt case is dismissed.