
(2018) 04 CHH CK 0060
In the Chhattisgarh High Court
Case No : CONT No. 678 of 2017

Shiv Kumar Soni	Vs	APPELLANT
Ankit Anand		RESPONDENT

Date of Decision : 06-04-2018

Acts Referred:

Citation : (2018) 04 CHH CK 0060

Hon'ble Judges : P. SAM KOSHY, J

Bench : Single Bench

Advocate : K.P.S.Gandhi, K.R.Nair

Final Decision : Dismissed

Judgement

1. Present contempt petition has been filed alleging deliberate and willful non-compliance of the order dated 08/03/2017 passed by this Court in WPS

No.1144/2017. The operative part of the said order is reproduced herein under:-

“However, a perusal of record shows that the petitioners till date have not made any representation to the employer for redressal of their

grievances. Without representation being made to the employer for redressal of grievance, this petition at this juncture would be premature and the

same is declined from being entertained. However, the petitioners are at liberty to approach the respondents by making a detailed representation in the

light of judgment of Supreme Court in case of State of Punjab Vs. Jagjit Singh (Supra). In case such a representation is made, it is expected then the

authorities concerned shall look into the matter and pass appropriate orders in accordance with rules. The petitioners are at liberty to re-agitate, if

situation so warrants.”

2. From the aforesaid observation itself it is evidently clear that, this Court had

not issued any specific writ against the respondents in the said Writ

Petition. Rather this Court had declined to entertain the Writ Petition and had given the petitioner the liberty to approach the authorities by making a

suitable representation. Such directions given by this Court can never be construed to be specific writ having been issued warranting compliance.

3. This Court thus is not inclined to entertain the contempt petition any further at this stage. This Court also is not inclined to entertain the contempt

petition for the reason that, the writ Court while disposing of the Writ Petition had granted the liberty to the petitioner to re-agitate their claim in case if

the situation so wants. Thus, the liberty of the petitioner to continue pursuing the respondents for redressal of his grievances.

4. Thus, this Court does not find any strong case made out for further proceedings with the contempt petition and the same is accordingly stands

dismissed and the respondents stands discharged of contempt proceedings.

5. However, the reluctance by this Court in entertaining the Writ Petition would not preclude the petitioners in availing the other remedies available to

them under law.