

IN THE HIGH COURT OF JHARKHAND AT RANCHI
Contempt Case (Civil) No. 19 of 2020.

Rahul Distributors through its Proprietor Shri Naresh
Kumar Rastogi.**Petitioner**

Versus

1. The State of Jharkhand.
2. Dr. Nitin Madan Kulkari, Secretary, Health,
Medical Education and Family Welfare
Department, Ranchi.
3. Civil Surgeon cum Chief Medical Officer,
Deoghar ...**Opposite Parties**

Coram: HON'BLE MR JUSTICE RONGON MUKHOPADHYAY

For the Petitioner : Mr. Nagmani Tiwari, Advocate
For the State : Mr. Subodh Mishra, S.C. Mines

05/9-9-2021 Heard the parties.

The petitioner in this application has prayed for initiation of a contempt proceeding against the opposite parties for non-compliance of the order dated 10.07.2019, passed in W.P.C. No. 5963 of 2013.

It appears that W.P.C. No. 5963 of 2013 was disposed off by order dated 10.07.2019 with a liberty to the petitioner to file a representation before the respondent no. 3 who was to consider and dispose it off by a speaking and reasoned order within a period of 12 weeks thereafter. It was also directed therein that if some of the dues, as claimed by the petitioner, is admitted by the respondent no. 3, effective steps shall be taken by him to release the said amount in favour of the petitioner.

A show cause has been filed on behalf of O.P. No. 3, from which, it appears that the representation of the petitioner has been considered and it has been disposed off by order dated 5.2.2020 and the admissible amount, which was found payable to the petitioner was to the tune of Rs.1383.00.

Learned counsel for the petitioner has submitted that the petitioner has received a cheque amounting to Rs.1383.00 from the department. He submits that although the petitioner has a huge bill but the same has not been properly appreciated by the opposite party no. 3 while disposing off the representation of the petitioner.

The grievance of the petitioner cannot be redressed in this contempt application. So far as the direction passed by this Court in W.P.C. No. 5963 of 2013, as noted above, is concerned, the opposite party no. 3 seems to have complied with the same in its true letter and spirit.

In such view of the matter, therefore, I am not inclined to proceed further in this contempt application. This application stands disposed off with a liberty to the petitioner to challenge the reasoned order dated 5.2.2020 in an appropriate proceeding.

(Rongon Mukhopadhyay, J)

Rakesh/-