# HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

S.B.Writ Contempt No. 392 / 2016

Bharat Dan son of Sh. Daulat Singh, aged about 61 years, B/c Charan, R/o 46, Tilak Nagar-I, Bhadwasiya Road, Jodhpur.

----Petitioner

# Versus

- 1. Mr. Pawan Kumar Goyal, Secretary, Department of Transport, Secretariat, State of Rajasthan, Jaipur & Commissioner, Rajasthan State Transport Department, Secretariat, State of Rajasthan, Jaipur.
- 2. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 3. Mr. Chandraveer Singh Charan Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondents

# **Connected With**

S.B.WRIT CONTEMPT No. 563 / 2015 Sarswati Devi wife of Late Shri Bhanwar Singh, by caste Rajpurohit, resident of 39, Kamla Nehru Nagar, Gokul Ji Pyau, Lal Sagar, Jodhpur.

----Petitioner

#### Versus

- 1. Mr. Bhaskar A Sanwat, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 2. Mr. Mahesh Verma, the Depot Manager (Chief Manager), Rajasthan State Road Transport Corporation, Jalore.

----Respondent

S.B.WRIT CONTEMPT No. 390 / 2016

Moti Singh Ujjawal son of Sh. Brij Lal Singh, aged about 61 years, by caste Charan, R/o 236, Parihar Nagar, Bhadwasiya Road, Jodhpur.

सत्यमव जर

----Petitioner

#### Versus

1. Mr. Pawan Kumar Goyal, Secretary, Department of Transport, Secretariat, State of Rajasthan, Jaipur & Commissioner, Rajasthan State Transport Department, Secretariat, State of Rajasthan, Jaipur.

- 2. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 3. Mr. Chandraveer Singh Charan Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 413 / 2016 Janardan Pareek son of Sh. Rawal Mal Pareek, aged about 62 years, R/o 14/40, Rawat Bhawan, Chopasani Housing Board, Jodhpur.

----Petitioner

#### Versus

- 1. Mr. Pawan Kumar Goyal, Secretary, Department of Transport, Secretariat, State of Rajasthan, Jaipur & Commissioner, Rajasthan State Transport Department, Secretariat, State of Rajasthan, Jaipur.
  - 2. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 3. Mr. Chandraveer Singh Charan Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 770 / 2016

Pokar Ram S/o Shri Tiku Ram Jat, by caste Jat, aged about 61 years, R/o Village Prem Sagar, (Bhalasariya) Post Mandi Kallan, Tehsil Tiwari, District Jodhpur.

----Petitioner

# Versus

- 1. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 2. Mr. Lal Chand Chandak, Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Phalodi, District Jodhpur.

----Respondent

# S.B.WRIT CONTEMPT No. 853 / 2016

- 1- Het Ram Vishnoi S/o Sh. Manphool Ram Vishnoi, aged about 62 years, R/o VPO Sadhuwali, District Shreeganganagar. (Retired as RSRTC Sardarshara Depot on 31-12-2014)
- 2- Madan Lal S/o Sh. Badri Ram aged about 61 years, R/o Goga Gate , Near Bandrabas School, Bikaner (Retired as RSRTC Bikaner

Depot on 31-12-2015)

3- Gordhan Singh S/o Sh. Bheru Ram, aged about 62 years, R/o Gali no.2, Hanuman Hatha, Bikaner (Retired as RSRTC Anoopgarh District Shreeganganagar Depot on 30-7-14)

--- petitioners

#### Versus

- 1- Sh. Shelendra Agarwal IAS, Chairman Rajasthan State Road, Transport Corporation, Head Quartor, Jaipur.
- 2- Sh. Rajesh Yadav, IAS, Managing Director, Rajasthan State Road, Transport Corporation, Head Quarter Jaipur, Jaipur.
- 3- Sh. Rameshwar Lal Sharma Chief Manager, Rajasthan State Road, Transport Corporation, Bikaner Depot. Bikaner.
- 4- Sh. Om Prakash Vishnoi Chief Manager, Rajasthan State Road, Transport Corporation, Anoopgarh Depot. Anoopgarh.
- 5- Sh. Parmeshwar Lal Chief Manager, Rajasthan State Road, Transport Corporation, Sardarshar Depot. Sardarshar.
- 6- Sh. Makhtul Ahmed Chief Manager, Rajasthan State Road, Transport Corporation, Shreeganganagar Depot. Shreeganganagar.

----Respondent

S.B.WRIT CONTEMPT No. 893 / 2016 Sohan Singh son of Shri Ramuji, aged 62 years, Retired Assistant Traffic Inspector, Rajasthan State Road Transport Corporation, Jhunjhunu Depot, Resident of Rajgarh, District Churu

----Petitioner

- 1. Mr. Rajesh Kumar Yadav, Chairman-cum-Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Headquarter, Jaipur.
- 2. Mr. Vikram Singh, Zonal Manager-cum-Chief Manager, Rajasthan State Road Transport Corporation, Jhunjhunu Depot, Jhunjhunu

----Respondent

S.B.WRIT CONTEMPT No. 894 / 2016 Mohammad Iqbal son of Shri Alam Ali Khan, aged 62 years, Retired Clerk Grade-I, Rajasthan State Road Transport Corporation, Jhunjhunu Depot at present Resident of D.K. Tyre, Near Shyam Cinema Hall, churu

----Petitioner

#### Versus

- 1. Mr. Rajesh Kumar Yadav, Chairman-cum-Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Headquarter, Jaipur.
- 2. Mr. Vikram Singh, Zonal Manager-cum-Chief Manager, Rajasthan State Road Transport Corporation, Jhunjhunu Depot, Jhunjhunu

----Respondent

# S.B.WRIT CONTEMPT No. 907 / 2016

Omprakash Sangwan son of Shri Harphool Ram, aged 62 years, Retired Conductor, Rajasthan State Road Transport corporation, Sardarshaher Depot, Resident of V.P.O. Sheopura, Post Lasedi, Tehsi Rajgarh, District Churu

----Petitioner

### Versus

- 1. Mr. Rajesh Kumar Yadav, Chairman-cum-Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Headquarter, Jaipur.
- 2. Mr. Parmeshwar Lal Saini, Zonal Manager-cum-Chief Manager, Rajasthan State Road Transport Corporation, Sardarshahar Depot, District Churu

----Respondent

S.B.WRIT CONTEMPT No. 911 / 2016

Gulab Kanwar W/o Late Shri Gautam Singh, aged about 56 years, R/o Maderana Colony, Kalka Mata Mandir Road, Bhadwasia, Jodhpur.

----Petitioner

#### Versus

- 1. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 2. Mr. Lal Chand Chandak, Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Phalodi, District Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 913 / 2016 Sumer Singh Godara son of Shri Dolaram, aged 61 years, Retired Traffic Inspector, Rajasthan State Road Transport Corporation, Churu Depot at present residing at C-167, Sainik Colony, Rajgarh, District Churu

----Petitioner

#### Versus

- 1. Mr. Rajesh Kumar Yadav, Chairman-cum-Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Headquarter, Sumerpur
- 2. Mr. Ramratan Mahlawat, Zonal Manager-cum-Chief Manager, Rajasthan State Road Transport Corporation, Churu Depot, Churu

----Respondent

S.B.WRIT CONTEMPT No. 956 / 2016 Samsuddin S/o Shri Nizamuddin, by caste Muslim, aged about 61 years, R/o Gali No.9, Baldev Nagar, Chopasani Road, Jodhpur.

----Petitioner

#### Versus

- 1. Mr. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 2. Mr. Lal Chand Chandak, Chief Manager/Depot Manager, Rajasthan State Road Transport Corporation, Phalodi, District Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 984 / 2016 Hukum Singh S/o Shri Sajjan Singh Ji, by Caste Mali, aged about 61 years, resident of Near Chain Pura Higer Secondary School, Hanslav Ki Pal, Mandore, Jodhpur.

----Petitioner

#### Versus

- 1. Sh. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
- 2. Sh. Chandraveer Charan, Chief Production Manager, Central Workshop, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

Motilal Bhati S/o Shri Ratan Lal Ji, by Caste Mali, aged about 61 years, resident of Raika Bera Mangara Punjala, Mandore, Jodhpur.

----Petitioner

#### Versus

- 1. Sh. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
- 2. Sh. Chandraveer Charan, Chief Production Manager, Central Workshop, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 991 / 2016 Sanwata Ram S/o Shri Ramu Ram B/c Choudhary aged about 62 years, R/O Dhobri Kallah, Via Gachipura Tehsil Makrana, District Nagaur.

----Petitioner

#### Versus

- 1. Shri Rajesh Yadav, Chairman & Managing Director, Rajasthan State Road Transport Corporation, Headquarter Parivahan Marg, Jaipur.

S.B.WRIT CONTEMPT No. 992 / 2016 Khinya Ram S/o Shri Bhagta Ram B/C Bishnoi aged about 62 years, R/O VPO- Panchla Sidha, Tehsil Khinwsar, District- Nagour.

----Petitioner

# सत्य Versus नयत

- 1. Shri Rajesh Yadav at present Chairman & Managing Director, Rajasthan State Road Transport Corporation, Headquarter Parivahan Marg, Jaipur.
- 2. Shri Hanman Singh Chief Manager, Rajasthan State Road Transport Corporation, Nagour Depot, District Nagour.

----Respondent

S.B.WRIT CONTEMPT No. 993 / 2016 Kanwara Ram S/o Shri Jhumar Ram B/C Dholiya aged about 62 years, R/O VPO- Kharnal Tehsil Mundwa, District Nagaur.

----Petitioner

#### Versus

- 1. Shri Rajesh Yadav at present Chairman & Managing Director, Rajasthan State Road Transport Corporation, Headquarter Parivahan Marg, Jaipur.
- 2. Shri Hanman Singh Chief Manager, Rajasthan State Road Transport Corporation, Nagour Depot, District Nagour.

----Respondent

S.B.WRIT CONTEMPT No. 995 / 2016 Sita Ram Jangid S/o Shri Murlidhar Jangid B/C Jangid aged about 60 years, at Present resident of C/O Suresh Kumar Gaur Ward No.27, Near Hanuman Temple, Khatripura, Nagaur.

----Petitioner

#### Versus

- 1. Shri Rajesh Yadav at present Chairman & Managing Director, Rajasthan State Road Transport Corporation, Headquarter Parivahan Marg, Jaipur.
- 2. Smt. Swati Mehta Chief Manager, Rajasthan State Road Transport Corporation, Pali Depot, District Pali.
- 3. Shri Hanman Singh Chief Manager, Rajasthan State Road Transport Corporation, Nagour Depot, District Nagour.

----Respondent

S.B.WRIT CONTEMPT No. 997 / 2016 Ramdev Choudhary, S/o Shri Nathu Ram B/C Choudhary aged about 60 years, R/O Behind Roadways Depot, Nagour, District Nagour

----Petitioner

#### Versus

- 1. Shri Rajesh Yadav at present Chairman & Managing Director, Rajasthan State Road Transport Corporation, Headquarter Parivahan Marg, Jaipur.
- 2. Shri Hanman Singh Chief Manager, Rajasthan State Road Transport Corporation, Nagour Depot, District Nagour.

----Respondent

S.B.WRIT CONTEMPT No. 1024 / 2016 Shrikishan Dave S/o Shri Ramakishan, By caste Shrimali, Aged about 62 years, R/o Ram Krishan Bhawan, Near Siwanchi Gate Bari, Jodhpur.

----Petitioner

### Versus

- 1. Sh. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Jaipur.
- 2. Sh. Chandraveer Charan, Chief Manager/Depot Manager, , Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

S.B.WRIT CONTEMPT No. 1036 / 2016 Pratap Singh S/o Heersingh, aged about 60 years, resident of Village Khutadi, Post Banar, District Jodhpur.

----Petitioner

#### Versus

- 1. Sh. Rajesh Yadav, Managing Director, Rajasthan State Road Transport Corporation, Parivahan Marg, Jaipur.
- 2. Sh. Chandraveer Charan, Chief Production Manager, Central Workshop, Rajasthan State Road Transport Corporation, Jodhpur.

----Respondent

For Petitioner(s) : Mr. D.D.Chitlangi, Mr. S.K.Poonia and Mr.

Sukesh Bhati, Mr. Mukesh Vyas, Mr. Sushil

Solanki

For Respondent(s): Mr. Harish Purohit and Ms. Deepika Purohit

for Mr. P.R.Singh

# HON'BLE MR. JUSTICE SANDEEP MEHTA Order

# 30/01/2017

All the above mentioned contempt petitions shall stand

decided by this common order as the issue involved is same.

Learned counsel for the respondents state that substantial compliance of this Court's order has been made and thus the personal presence of Managing Director, RSRTC as required under order dated 19.12.2016 may be exempted.

Ms. Deepika Purohit for Mr. P.R. Singh, learned Additional Advocate General and Mr. Harish Purohit, learned counsel appearing on behalf of the respondent-Corporation on instructions from Mr. O.P. Bairwa, Law Officer, Rajasthan State Road Transport Corporation, Jodhpur, who is present in the Court, submit that the entire payment due to the petitioners in the above contempt petitions has been made and deposited in their respective accounts under the heads of gratuity, leave encashment, arrears of 5th and 6th pay commissions, overtime/night duty allowance and gazetted holidays with interest. A detailed list setting out details of the payment made under each head to the respective petitioners has been placed on record. Learned counsel for the petitioners, however, state that there are discrepancies in the payment specially under the head of overtime and night duty allowances. In certain cases, the gratuity amount and under other heads, the entire amount has not been fully paid.

On going through the list submitted on behalf of the respondent Corporation, this Court is satisfied that the substantial compliance of the orders under contempt has been made and thus the personal presence of the Managing Director, R.S.R.T.C. is not

required. Accordingly, the contempt petitions are dismissed as rendered infructuous. Rule is discharged.

However, it is clarified that in case, there is any discrepancy in the payment made to the petitioners, they shall be at liberty to file a representation before the appropriate authority within one month from today. In case, such representation is filed within the stipulated period, the authority concerned shall objectively consider and decide the same within two months of the receipt thereof. In case, any amount is found due to the petitioners, the payment would be made within said two months itself, otherwise a speaking order giving the detail of the calculation and the reason why the representation is being rejected shall be passed in each case to enable the petitioners to challenge the same in case, the same is not to their satisfaction. It goes without saying that the respondent authorities shall also give the method and formula which has been applied while making the calculation.

A copy of this order be placed in the record of each file.



/sushil/