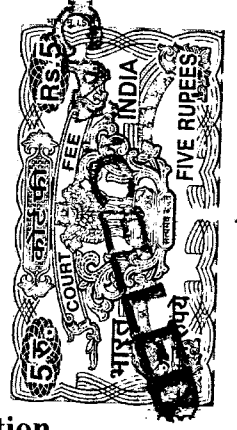


(2)

IN THE HIGH COURT OF MADHYA PRADESH

PRINCIPAL SEAT AT JABALPUR

CONC NO . 22 OF 2023.



(Arising out of order dated 24/08/2022 passed in writ petition
No.18643/2022)

PETITIONER :-

R.S. Thakur,
S/o Late Shri M.S. Thakur
Aged about 60 years, Superintending
Engineer, Public Health Engineering
Department, Sagar Circle, Sagar,
DISTRICT SAGAR (M.P.).

Presented on 2/11/23
By H.C. Sanyal


Presentation/Receiving Assistant

VERSUS.

RESPONDENTS :-

1. Shri Sanjay Kumar Shukla,
Principal Secretary,
Public Health Engineering Department
Vallabh Bhawan, BHOPAL (M.P.).
2. Shri Sanjay Kumar Andhwan,
The Engineer In-Chief,
Public Health Engineering Department,
Madhya Pradesh, BHOPAL (M.P.).



CONTEMPT PETITION UNDER ARTICLES 215 OF

THE CONSTITUTION OF INDIA

The humble petitioner begs to submit as under :-

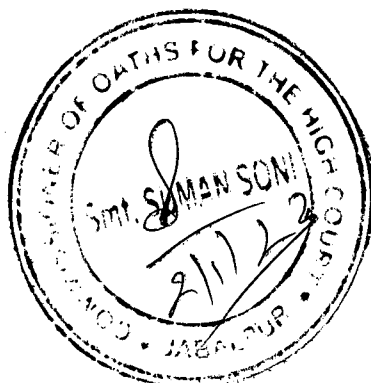
1. The petitioner had filed W.P. No.18643/2022 before this Hon'ble Court seeking direction to the respondents to open the shield cover containing recommendations of the Departmental promotion committee held to consider the case of the petitioner for promotion to the post of Chief Engineer and after opening



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the shield cover to grant promotion to the petitioner to the post of Chief Engineer w.e.f. 04/10/2013 with all consequential benefits.

2. The writ petition was disposed of by this Hon'ble court vide order dated 24/08/2022 directing the respondents to open the shield cover containing recommendations of DPC in respect of the petitioner within a period of 90 days from the date of receipt of the order passed by the Hon'ble court. A copy of the order dated 24/08/2022 is marked as ANNEXURE-C/1.
3. The order dated 24/08/2022 passed by this Hon'ble court was submitted by hand before the respondents on 26/09/2022. A copy of the letter dated 26/09/2022 written by the petitioner containing the acknowledgement endorsed from the office of respondent No.1 as a token of having receive the order is marked as ANNEXURE-C/2.
4. As per the directions passed by this Hon'ble court, the respondents were required to open the shield cover within a period of 90 days, however, the same has not been done by the respondents even after expiry of more than 90 days.
5. It is apparent from the conduct of the respondents that they have got scant regards for the judicial authority of this Hon'ble court. The inaction on the part of the respondents is in a gross violation of the directions passed by this Hon'ble court and false within the ambit of the contempt of the judicial authority of this Hon'ble court. The petitioner is therefore, liable to be proceeded with for committing contempt of judicial authority of this Hon'ble court.



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6. As far as the knowledge of the petitioner, no appeal or SLP has been filed before Apex Court by the respondent against the order dated 24/08/2022 passed in W.P. No. 18643/2022.

P R A Y E R

It is, therefore, prayed that this Hon'ble Court may be pleased to issue rule-nisi to the respondents and initiate contempt proceedings against the respondents for their failure to comply with the directions passed by the Hon'ble Court vide order dated 24/08/2022 passed in W.P. No. 18643/2022, in the interest of justice.

PLACE :- Jabalpur

DATE :- 09/01/2023


(HARISH CHANDRA SINGH)

COUNSEL FOR PETITIONER



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IN THE HIGH COURT OF MADHYA PRADESH

PRINCIPAL SEAT AT JABALPUR.

CONC NO. 22 OF 2023

PETITIONER : R.S. Thakur.

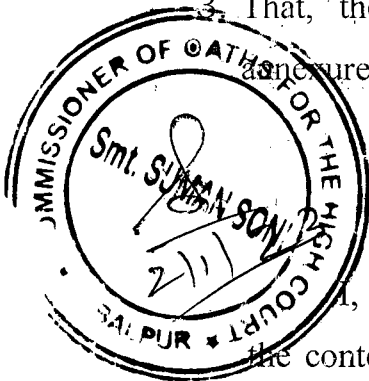
VERSUS

RESPONDENTS/ : Shri Sanjay Kumar Shukla & Another.
CONTEMNORS

AFFIDAVIT

I, R.S. Thakur, S/o Late Shri M.S. Thakur, Aged about 60 years, Superintending Engineer, Public Health Engineering Department, Sagar Circle, Sagar, DISTRICT SAGAR (M.P.), do hereby solemnly affirm and state on oath as under :-

1. That, I am the petitioner in the instant contempt petition and well conversant with the facts of the case.
2. That, the accompanying contempt petition has been drafted by my counsel under my instructions.
3. That, the contents of the contempt petition alongwith the documents are true to my personal knowledge and belief.




DEPONENT

VERIFICATION


I, R.S. Thakur, the above named deponent, do hereby verify that the contents of paras 1 to 3 of this affidavit are true to my personal knowledge and belief.

Verify and signed on this 02nd day of January, 2023 at

Jabalpur.

Sworn before me on the 02nd day of Jan 2023
at
by R.S. Thakur, S/o Late M.S. Thakur
who is personally known to me who has been
identified by
Whose Signature is appended


DEPONENT


Smt. SUMAN SONIA
Commissioner of Oaths
For the High Court
(JABALPUR)

2/1/23

Identified by me
2/1/23