

IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL
CIVIL CONTEMPT No. 191 of 2010

Trilok Chandra

.....Petitioner

Versus

Sri P.K. Gupta, Chief General Manager Telecom,
Uttarakhand Circle, Windlass Complex Road, Dehradun.

.....Respondent.

Present: Mr. Ashish Joshi, Advocate for the petitioner.
Mr. V.B.S. Negi, Advocate for the respondent.

Hon'ble Sudhanshu Dhulia, J(Oral)

Heard Mr. Ashish Joshi, Advocate for the petitioner and Mr. V.B.S. Negi, Advocate for the respondent.

This contempt petition has been filed by the petitioner stating that the order dated 15.7.2009 passed by a division bench of this court has been violated. The order dated 15.7.2009 reads as under:

“After arguing for a while, Mr. P.C. Jhingan, learned counsel appearing for the petitioner, seeks to withdraw this petition with liberty to the petitioner to actively participate in the disciplinary proceedings initiated against him vide the impugned Memorandum dated 20th April, 2009.

The writ petition is dismissed as withdrawn. However, this Court directs the respondents to ensure that all possible steps are taken by them to complete the Disciplinary Proceedings as fast as possible and pass consequential order on the merits of the case and in accordance with law. If it is possible, the Disciplinary Proceedings shall be concluded before 30th November, 2009.”

Apparently, since the disciplinary proceedings did not complete at the relevant time i.e. 30th November, 2009, the petitioner filed a contempt petition against Sri P.K. Gupta, who is Chief General Manager Telecom, Uttarakhand Circle, Windlass Complex Road, Dehradun making him as a party. In the counter affidavit to the contempt petition, the stand, which has been taken by the respondent, is that he has completed the disciplinary proceedings and since the rules provided that the order has to be finally approved by BSNL, Head Quarter, the file has been sent to Delhi in March, 2010. As such, this court is of the clear opinion that no contempt has been committed as alleged, by the respondent. Moreover, there was no such mandamus by this court as is

being canvassed by the petitioner before this court. The contempt petition, therefore, has absolutely no merit and the same is dismissed.

Consequently, notices are also 0accordingly discharged.

(Sudhanshu Dhulia, J)
31.12.2010

Kuldeep