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CF 151

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [C.G.]

Single Bench

CONTEMPT CASE NO. (C) 107 /2012

PETITIONER

Dr. Omprakash Devangan, son of
Shri Kanhaiya Lal Devangan, aged
41 years, presently working as
President of Nagar Palika Birgaon,
District Raipur (CG)

.R.No. 107/12
Presented by Shri Smt. B. Mishra
dated 29/2/12

VERSUS

RESPONDENT

Hem Shankar Deshlahara S/o Late
Dukoreha Deshlahara, Aged-about 49
years, Presently working as Chief
Municipal officer, Birgaon, Distt.- Raipur
[C.G.]

CONTEMPT PETITION UNDER SECTION 12 OF THE CONTEMPT OF

COURTS ACT READ WITH ARTICLE 215 OF THE CONSTITUTION

OF INDIA FOR NON COMPLIANCE OF THE ORDER DATED

30.01.2012 PASSED IN WRIT PETITION (C)NO. 187/2012 AND

199/2012 [ANNEXURE C/1]



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29.9.12

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

सामला क्रमांक Cont. Case (C) no. 107/12
सन् 20

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	न्यायालयीन मामलों में डिप्टी रजिस्ट्रार के अतिम आदेश
	<p><u>Hon'ble Shri Prashant Kumar Mishra, J.</u> <u>28.09.2012</u></p> <p>Shri Rajeev Shrivastava with Shri Malay Shrivastava, counsel for the petitioner.</p> <p>This contempt petition has been filed alleging non-compliance of the violation of order dated 30/01/2012 in W.P.C. No.199/2012. By the said order this court had stayed the order dated 16/01/2012 in respect of withdrawal of petitioner's financial power as President of Municipal Council, Birgaon. In compliance of the said order, the CMO issued a communication to the respective banks on 8/02/2012 (Annexure C-4).</p> <p>According to the petitioner by another order dated 15/02/2012 the banks were informed that the cheques for an amount more than Rs.50,000/- shall be signed by the CMO and the petitioner or under Section 52 (c) by the CMO and the Vice President.</p> <p>It appears, the statute requires that in the absence of President, a Vice President can perform the duties of the President. Since statutory power has been exercised for smooth functioning of the affairs of the Municipality, no contempt has been committed.</p> <p>The contempt petition is devoid of substance. It is accordingly dismissed.</p>	

Sd/-
Prashant Kumar Mishra
Judge

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