

Bholu Singh Tomar Vs. Sanjay Singh

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Court : Madhya Pradesh

Decided On : Mar-19-2013

Appellant : Bholu Singh Tomar

Respondent : Sanjay Singh

Advocate for Def. : Shri. Prashant Singh

Advocate for Pet/Ap. : Shri. Narendra Sharma

Judgement :

Conc. No. 1584 Of 2012 19.3.2013 Shri Narendra Sharma, learned counsel for the petitioner.

Shri Prashant Singh, learned counsel for respondents.

Heard.

After 8 years of disposal of a petition, W.P. No. 9035/2004) (disposed of on 29.9.2004), the petitioner has filed this petition seeking action against respondents for noncompliance of said order.

No cogent explanation has been given as to why no action was initiated by the petitioner for alleged non compliance.

The latches, in the given facts of present case, would be a sufficient ground to dismiss the petition and drop the proceedings. However, in pursuance to notice

issued to respondents they have filed a compliance report stating therein that a detailed speaking order has been passed on 30.11.2012; whereby, claim of the petitioner for grant of regular pay scale from initial date of appointment as per as per decision in Madhukant Yadu v.

State of M.P. and others (O.A. No. 2745/1989) has been rejected. Since the claim of the petitioner has been considered as per direction dated 29.9.2004, no case of willful disobedience has been made out as would warrant any action against the respondents. Petitioner, if he is not satisfied with the order, is at liberty to initiate appropriate proceedings against the same before appropriate forum.

For the present since no case of willful disobedience is made out the proceedings are dropped. Rule NISI discharged.

(SANJAY YADAV) JUDGE Vivek Tripathi

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