

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 224 of 2016

Pramod Shukla S/o Hetram Shukla, Aged About 58 Years
R/o Village- Saliyapara, Post & Tahsil- Pali, District-
Korba, Chhattisgarh

---- Petitioner

Versus

1. R.P.Mandal , Principal Secretary, Department Of Urban Administration And Development, Mahanadi Bhawan, New Raipur, District Raipur, Chhattisgarh
2. Rohit Yadav, Presently Working As Director, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh
3. Mr. Jitendra Shukla, Presently Working As Joint Secretary, Department Of Urban Administration And Development, Mantralaya, Mahanadi Bhawan, New Raipur, District- Raipur, Chhattisgarh
(Contemnors)

---- Respondents

For Petitioner	:	Mr. Sudeep Agrawal, Advocate.
For State	:	Mr. B. Gop Kumar, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

12/05/2016

Heard on admission.

This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 07.04.2016 on the ground that even though the order passed by this Court was quashed, the respondents attempted to overreach the order by directing amendment in the order which no longer exists.

Learned State counsel, who is present in the Court, submits that a perusal of the order shows that in view of order

passed by this Court, the petitioner's posting has been changed. He, however, submits that the amendment could not be made and this Court has passed an order in WP(S) No.1626 of 2016 today itself quashing that part of the order by which the amendment has been made.

I find that the respondents has passed the order seeking to amend the earlier order which legally could not be done because order dated 12.02.2016 has already been quashed. However, it does not appear to be a case of willful disobedience because now the petitioner has been transferred within his own cadre which does not appear to be a case of willful disobedience. Therefore, the contempt petition is dismissed.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E