

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 499 of 2016

Dr. C. S. Mohabey S/o Shri M.M.Mohabey, Aged About 59 Years Working As In-Charge Chief Medical And Health Officer, Rajnandgaon, Tahsil & Distt. Rajnandgaon, Chhattisgarh

---- Petitioner

Versus

1. Shri Subrat Sahu Secretary Department Of Health And Family Welfare, Govt. Of Chhattisgarh, Mahanadi Bhavan, Naya Raipur, Distt. Raipur, Chhattisgarh
2. Shri R.Prasanna, Director, Health Services, Directorate Of Health Services, Indravati Bhavan, Naya Raipur, Distt. Raipur, Chhattisgarh
3. Dr. R.K.Singh, Dean, Govt. Medical College, Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh
4. Shri Dhiraj Nashine, District Treasury Officer Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh
5. Dr. Mithilesh Chaudhari, In-Charge District Malaria Officer, Rajnandgaon, Distt. Rajnandgaon, Chhattisgarh

---- Respondents

Shri MPS Bhatia, counsel for the petitioner/s.
Shri Akhilesh Kumar, counsel for respondent No.3.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

14/12/2016

Learned counsel for the petitioner submits that despite interim order passed by this Court on 09/08/2016, the petitioner has been subjected to coercive action inasmuch as, his joining has not been accepted and he is not regularly paid his salary nor charge of CMHO is handed over to him.

2. Learned counsel for respondent No.3 submits that by the time, interim order was passed by this Court on 09/08/2016, the petitioner was already relieved, however, later on, in view of the order of this Court, salary of part August

and thereafter, September has been paid. Therefore, no coercive action has been taken against the petitioner.

3. It appears that after the order passed by this Court, the petitioner again submitted his joining in the office and salary of part August and thereafter, September has been paid. After seeing the documents on record, I do not find any material contrary to the spirit of the order passed earlier by this Court.

The issue with regard to handing over charge and that the petitioner should be allowed to continue as CMHO on the strength of interim order, is a matter to be considered in the writ petition.

4. The contempt petition is accordingly disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge