

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 240 of 2016

Shri Komal Singh Rajput S/o Late Shri Udho Singh Rajput,
Aged About 39 Years R/o Village Vicharpur, Post Sukli, Tahsil
Lormi, District Mungeli (Chhattisgarh).....(Petitioner)

---- Petitioner

Versus

1. Dr. Fariha Alam Siddhique Secretary, Zila Swachha Bharat Mission (Gramin), Zila Jal Avam Swatchhata Samiti, Mungeli, District Mungeli (Chhattisgarh)
2. Smt. Kiran Kaushal, Collector Mungeli, Collectorate, Main Road, Mungeli, District Mungeli, (Chhattisgarh) (Being The President, Zila Swachha Bharat Mission (Gramin), Zila Jal Avam Swatchhata Samiti, Mungeli, District Mungeli (Chhattisgarh).....(Contemnors)

---Respondents

For Petitioner	:	Shri Amrito Das, Advocate
For Respondents	:	Shri Akash Pandey, Advocate

D.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

15/12/2016

Heard.

1. This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 23.12.2014 passed in WPS No.3298 of 2014 and subsequent order passed in Review Petition No.84 of 2015 on 20.08.2015.

2. Though learned counsel for the petitioner brought to the notice of this Court that despite order passed by this Court on earlier two occasions in the writ petition as well as in the review petition, one of the employee, Smt. Sapna Pandey, who was appointed as Block Resource Coordinator continued as such despite the two orders, learned counsel for the respondents submits that in view of decision

which was taken not to make fresh appointment, no steps were taken to proceed further with the earlier advertisement but Smt. Sapna Pandey, who was appointed also did not attend the duties and remained unauthorizedly absent for 17 to 18 months.

3. It is also brought to the notice of this Court that an order has been passed on 30.11.2016 by which services of Smt. Sapna Pandey has already been terminated.

4. It appears that when earlier orders were passed, the fact that certain appointments were already been made in the interregnum was not brought to the notice of the Court but the respondents had not taken further steps in the matter probably for the reason that the decision had already been taken not to make fresh appointment and that the one candidate Smt. Sapna Pandey, who was already appointed, was also remaining absent.

5. We can only say that the respondents ought to have been more vigilant in the matter, however, in view of the subsequent development that the concerned appointee has already been terminated from service and the fact that she remained absent for 17 to 18 months ever since the order was passed in review petition and that there has been no attempt to make any further appointment under the old advertisement after the orders were passed, we deem it expedient to discharge the Rule and close the contempt petition. Accordingly, the contempt petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge

Sd/-
(Goutam Bhaduri)
Judge