

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 438 of 2016

Gurman Singh Rana S/o Heeralal Rana, Aged About 48 Years Occupation-
Assistant Soil Conservation Officer, Kondagaon, Tahsil & District Kondagaon,
Chhattisgarh

---- Petitioner

Versus

B.K. Bijroniya Deputy Director Agriculture, Kondagaon, Tahsil & District-
Kondagaon, Chhattisgarh

---- Respondent

Shri Goutam Khetrpal, counsel for the petitioner/s.
Shri K.K.Singh, counsel for the respondent.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/11/2016

The petitioner alleges willful disobedience of order dated 05/08/2016 by which, this Court had directed the respondents to decide representation of the petitioner and not to take any coercive steps if any other person has not joined in place of the petitioner.

2. It is submitted that on that day, joining of the petitioner was not accepted by any authority and the petitioner was later on relieved on 08/08/2016, which amounts to willful disobedience of order of this Court.

3. Learned counsel for the respondent submits that the order passed by this Court was not communicated till the order dated 08/08/2016 was passed. It is submitted that the reliever of the petitioner submitted his joining on 05/08/2016 with a copy submitted in the office of the respondent. Therefore, acting bonafide, the answering respondent issued relieving order of the petitioner on 08/08/2016.

4. The interim protection granted by this Court was in the manner that if any other person has not joined in the place of the petitioner, no coercive steps shall be taken against the petitioner.

The reply along with documents shows that the reliever of the petitioner had joined on 05/08/2016 and joining letter was also submitted in the office of the Deputy Director on 05/08/2016. There is no material on record to show that till passing of order dated 08/08/2016, copy of order passed by this Court was submitted in the office of the respondents nor is there any acknowledgment of submission of any affidavit in the office of the respondent till order dated 08/08/2016 was passed.

5. In these circumstances, I do not find it a fit case to proceed further. The petition is accordingly dismissed. It is made clear that dismissal of this petition will have no bearing on consideration of merits of the petition filed by the petitioner against rejection of his representation.

Sd/-

(Manindra Mohan Shrivastava)

Judge