

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****CONT No. 461 of 2016**

- Hemsagar Pradhan S/o Shri Babaji Pradhan, Aged About 40 Years Presently Posted As Assistant Teacher (Panchayat), Government Primary School, Toshgaon, Block-Saraipali, District- Mahasamund, Chhattisgarh

---- Petitioner**Versus**

- Shri Pushpendra Kumar Meena Posted As Chief Executive Officer, Zila Panchayat, Mahasamund, District Mahasamund, Chhattisgarh(Contemnor)

---- Respondents

 For Petitioner : Mr. Rahul Mishra, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****06/10/2016**

Heard.

1. This contempt petition has been filed by the petitioner alleging willful disobedience of the order dated 19.08.2016 passed by this Court in WPS No. 3888 of 2016.
2. Learned counsel for the petitioner submits that despite order of this Court which was communicated vide representation dated 29.08.2016 and received in the Office of Chief Executive Officer, Jila Panchayat, Mahasamund on 29.08.2016, the list of eligible candidates have been published vide memo dated 19.09.2016 in which name of the petitioner has not been mentioned by treating him as not qualified, reckoning his eligibility from the date of his transfer and not from the date of initial appointment.
3. The spirit of the order of the Court is that if the petitioner's total length of service reckoned from the original date of appointment is 07 years or more, he/she should be treated as eligible though he/she may not be entitled to seniority. The representation has already been made by the petitioner. The respondent shall

examine the representation in the light of earlier order passed by this Court on 19.08.2016 in WPS No.3888 of 2016 before proceeding to consider eligibility in the matter of promotion.

4. With this observation, at this stage, contempt petition is disposed off. Let this order be placed before the respondent for due compliance.

Sd/-
(Manindra Mohan Shrivastava)
Judge