

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 412 of 2017

Avnish Kumar Keshri S/o Shri Shambhu Prasad Keshri, Aged About 32 Years Presently Posted As Revenue Inspector, Municipal Corporation, Bilaspur R/o House No. C/18, Rajaswa Colony, Sarkanda, Bilaspur, P. S. Sarkanda, District Bilaspur (Chhattisgarh).

---- Petitioner

Versus

1. Smt. Shahla Nigar Secretary, Department Of Technical Education, Mahanadi Bhawan, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh).
2. Shri Hemant Kumar Pahare, Secretary, Chhattisgarh Public Service Commission, Shankar Nagar, Raipur, Post Office & Police Station Shankar Nagar, District Raipur (Chhattisgarh).
3. Dr. Arun Kumar Mishra, Controller Of Examination, Chhattisgarh Public Service Commission, Shankar Nagar, Raipur, Post Office & Police Station Shankar Nagar, District Raipur (Chhattisgarh).

---- Respondents

For Petitioner : Mr. Vivek Kumar Agrawal, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

02/08/2017

1. Present contempt petition has been filed for willful violation of the order dated 09.03.2017 passed by this Court in WPS No. 2103/2016. For ready reference the relevant part of the said order is reproduced hereinunder:-

“Meanwhile, however, as and ad-interim measure, it is expected that the interim relief which has been granted by this Court of keeping one post vacant, should not be disturbed by the Respondents till the I.A. No.5 is decided.”

2. Counsel for the petitioner submits that subsequent to the order being passed on 09.03.2017, the Respondents have permitted one Bhuvneshwar Prasad to join as a Lecturer, Modern Office Management w.e.f. 23.03.2017 which shows that the respondents have permitted Bhuvneshwar Prasad to join after the impugned

order having being passed. Thus petitioner can have adverse impact in the event of the petitioner being successful in the writ petition.

3. This contention of petitioner is not acceptable for the reason that interim order granted by this Court is still in force and the State counsel has not sought for any modification or clarification to the interim order passed by this Court. Under such circumstances it would be the responsibility of the State authority to ensure the compliance of the order passed by this Court in the event the writ petition ultimately is decided in favour of the petitioner.
4. Thus in the opinion of this Court, the contentions of the petitioner that granting of joining to one Bhuvneshwar Prasad has violated the order passed by this Court calling for contempt proceedings to be initiated against the Respondents is not acceptable.
5. Thus in the opinion of this Court, the Contempt Petition has no merits and the same deserves to be and is accordingly rejected.

Sd/-
(P. Sam Koshy)
Judge