

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 348 of 2017

1. T.L. Dongare S/o Late Janak Lal Dongare, Aged About 55 Years
Principal Class-II, Govt. Industrial Training Institute, Ramanujganj,
District Balrampur, Chhattisgarh

---- Petitioner

Versus

1. Smt. Renu G. Pillay Principal Secretary, Technical Education
Department, Mantralaya, State Of Chhattisgarh, Mahanadi Bhawan,
Raipur, District Raipur, Chhattisgarh
2. Shri S.S.Bajaj, Commissioner-Cum-Secretary, Directorate
Employment And Training Indrawati Bhawan, New Raipur,
Chhattisgarh
3. Shri Avinash Kumar Sharan, Collector, Balrampur, District Balrampur,
Chhattisgarh(Contemnors)

---- Respondent

For Petitioner

Shri Uttam Pandey, Advocate

Hon'ble Shri Justice Prashant Kumar Mishra

Order On Board

21/07/2017

1. The petitioner preferred WPS No.1679 of 2017 raising a grievance
that despite transfer order dated 25-7-2016 he is not relieved to join
at the transferred place.
2. The said writ petition was disposed of with a direction that if the
transfer order of the petitioner is not cancelled, varied or kept in
abeyance by the concerned authority, the petitioner would be
required to be relieved towards implementation/execution of the

transfer order.

3. It is argued that by subsequent order order dated 15-6-2017 the transfer order has been cancelled, therefore, the respondents have committed contempt of the lawful authority of this Court because the said order has been passed to circumvent the direction issued by this Court.
4. I am not convinced with the said argument inasmuch as the cancellation order has been passed on account of obtaining administrative exigency. The assessment of which is within the administrative domain of the State Government.
5. In the writ petition, this Court has never restrained the respondents from cancelling or modifying or varying the transfer order. Appropriate remedy for the petitioner lies in challenging the order dated 15-6-2017. Thus, the respondents have not committed any contempt of any order passed by this Court.
6. As a sequel, the contempt petition being bereft of merit is liable to be and is hereby dismissed at the motion stage itself.

Sd/-

Judge
Prashant Kumar Mishra

Gowri