

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

WPS No. 1818 of 2015Ku. Ruchi Sahu **Versus** State of Chhattisgarh & Others

03/02/2017	Shri Mateen Siddiqui, Advocate for the Petitioner. Shri Ravindra Agrawal, Panel Lawyer for the State/Respondent No.1. Shri Shashank Thakur, Advocate for Respondent No.3. On the last date of hearing i.e. on 20.1.2017, Learned Counsel for Respondent No.3 stated that subject of Dairy Farming was not a subject being taught in the institution, for which the post was advertised. Therefore, this Court had passed the following order:- “Shri Mateen Siddiqui, Advocate for the Petitioner. Shri Ravindra Agrawal, Panel Lawyer for the State/Respondent No.1. Dr. N.K. Shukla, Senior Advocate with Ms. Priya Mishra, Advocate for Respondent No.2. Shri Shashank Thakur, Advocate for Respondent No.3. The grievance of the Petitioner is that Nagar Panchayat, Sitapur, District Surguja issued an advertisement inviting applications for filling up various posts of Lecturers in different subjects including the subject of Dairy Farming. The case of the Petitioner is that she was in Sr. No.1 in the select list in the subject of Dairy Farming but no appointment order was issued to her till date. On 21.10.2016 on behalf of Respondent No.3 submitted that there was some confusion with regard to the qualification of the Petitioner for which clarification has been sought from the State of Chhattisgarh. Today, Shri Thakur, Learned Counsel for	

Respondent No.3 submits that in fact post of Dairy Farming did not exist and the Dairy Farming is not taught as a subject and it is for this reason, post of Dairy Farming was not filled up.

The Chief Municipal Officer, Nagar Panchayat, Sitapur shall appear in person before the Court on the next date along with entire records of the case including the record on the basis of which post of Lecturer in Dairy Farming was advertised. If in fact it was not a subject, was there is a proposal to advertise the post. This question shall be specifically answered by him.

The Chief Municipal Officer, Nagar Panchayat, Sitapur shall also explain to this Court why almost for two years this fact has not been brought to the notice of this Court and it has been stated for the first time today that there is no post of Lecturer in Dairy Farming.

List the matter on 3.2.2017, on which date the entire record shall be produced before the Court.”

Today, Shri Shashak Thakur, Learned Counsel for Respondent No.3 has taken a totally different plea and states that statement made on 20.1.2017 was incorrect and was made on wrong instruction imparted to him.

Today, Shri Sushil Kumar Tiwari, Chief Municipal Officer, Nagar Panchayat, Sitapur, District Sarguja is present and he states that in fact, Dairy Farming is being taught as a subject. On the last date in the order we had indicated that something is not correct. If I had disposed of the matter only on the submission of Learned Counsel for Respondent No.3, grave injustice would have been caused. A lawyer is expected to verify facts at the responsible officer before making such statement. In this case, Learned Counsel for Respondent No.3 has taken instructions from the Head Clerk of Nagar Panchayat, Sitapur concerned, namely Shri Jitendra Gupta.

Notice of contempt be issued to Shri Jitendra Gupta to explain why action should not be taken under the Contempt of Court's Act against him for trying to mislead the Court.

This contempt petition be drawn up separately and listed before this Bench on 17.3.2017.

Sd/-

(Deepak Gupta)
Chief Justice