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HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 608 of 2016

- Harbhajan Singh S/o Late Inder Singh Chawla, Aged About 53 Years
Occupation- Service, Presently Posted As Assistant Grade- III At
Chhattisgarh State Urdu Academy, Raipur, R/o Ganj Para, Station
Road, Raipur, Civil And Revenue District Raipur, Chhattisgarh

---- Petitioner

Versus

1. Shri Emil Lakda, Commissioner, Adim Jati Tatha Anusuchit Jati Vikas
Vibhag Block-4 D, Ground Floor, Indrawati Bhawan, Naya Raipur,
Tahsil And District Raipur, Chhattisgarh
2. Shri Chandrakant Uikey, Director, Adim Jati Tatha Anusuchit Jati Vikas
Vibhag Raipur, Chhattisgarh
3. Mohammed Rafique Khan, S/o Shri Umar Khan, Aged About 52 Years
Secretary, Chhattisgarh Urdu Academy, Raipur And R/o H.No.502 A,
Priyadarshini Nagar, Raipur, Chhattisgarh

---- Respondents

AND

CONT No. 562 of 2016

- Tulsi Ram Sahu, S/o Late Girdharilal Sahu, Aged About 51 Years
Occupation- Service, Presently Posted As Assistant Grade- III At
Chhattisgarh State Urdu Academy, Raipur, Resident Of R D A Colony,
Boriyakhurd, Raipur, Chhattisgarh, Civil And Revenue District Raipur,
Chhattisgarh

---- Petitioner

Versus

1. Shri Emil Lakda, Commissioner, Adim Jati Tatha Anusuchit Jati Vikas
Vibhag Block-4 D, Ground Floor, Indrawati Bhawan, Naya Raipur,
Tahsil And District Raipur, Chhattisgarh
2. Shri Chandrakant Uikey, Director, Adim Jati Tatha Anusuchit Jati Vikas
Vibhag Raipur, Chhattisgarh
3. Mohammed Rafique Khan, S/o Shri Umar Khan, Aged About 52 Years
Secretary, Chhattisgarh Urdu Academy, Raipur And R/o H.No.502 A,
Priyadarshini Nagar, Raipur, Chhattisgarh

---- Respondents

AND

CONT No. 607 of 2016

- Mohammed Shabir Khan S/o Shri Anees Ahmed, Aged About 56 Years Occupation- Service, Presently Posted As Assistat Grade- III At Chhattisgarh State Urdu Academy, Raipur, R/o Nizami Chowk, Sanjay Nagar, Raipur, Civil And Revenue District Raipur, Chhattisgarh

---- Petitioner

Versus

1. Shri Emil Lakda, Commissioner, Adim Jati Tatha Anusuchit Jati Vikas Vibhag Block-4 D, Ground Floor, Indrawati Bhawan, Naya Raipur, Tahsil And District Raipur, Chhattisgarh
2. Shri Chandrakant Uikey, Director, Adim Jati Tatha Anusuchit Jati Vikas Vibhag Raipur, Chhattisgarh
3. Mohammed Rafique Khan, S/o Shri Umar Khan, Aged About 52 Years Secretary, Chhattisgarh Urdu Academy, Raipur And R/o H.No.502 A, Priyadarshini Nagar, Raipur, Chhattisgarh

---- Respondents

For Petitioners	:	Shri Samir Oraon, Advocate
For Respondent No.3	:	Shri Akash Pandey, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

11/04/2017

1. Heard.
2. All these contempt petitions are being disposed off by common order as all the three petitions have been filed by the petitioners working in Chhattisgarh Urdu Academy and transferred from Urdu Academy to the Tribal Department, which order was assailed by filing petitions, in which interim order of status-quo was passed on 04/10/2016.
3. The petitioners in the aforesaid contempt petitions were working on clerical post in the Chhattisgarh Urdu Academy. An order was passed on 20th September 2016 by the Director, Tribal Development, Chhattisgarh transferring and posting the petitioners in the Office of Commissioner, Tribal Department. The aforesaid order was assailed by the petitioners by filing their respective petitions, which was listed for analogous hearing. On 04/10/2016 this Court directed issuance of notice and passed interim order to the effect that till date no coercive

steps with regard to the petitioners posting which exists on the date shall be maintained by all the parties.

4. Thereafter these petitioners filed the above said contempt petition making similar allegations that the interim order of the Court was not respected and the petitioners are not being allowed to work and not paid salary.
5. The respondent-contemnor in all these cases filed reply, which is similar in nature and it has been stated in the affidavit that after the transfer order of the petitioner was passed on 20/09/2016, all of them were relieved on 21st September 2016 itself. The respondent has also placed on record the copies of the dispatch register showing that respective petitioners they refused to receipt and thereafter the order was sent to their postal address by speed post.
6. Taking into consideration the emphatic stand taken by the respondents that the petitioners had already been released on 21st September 2016, there being no material to come to the conclusion that till date interim order passed by this Court on 04/10/2016 the petitioners were not relieved, I do not think that any contempt is made out, accordingly the contempt petitions are dismissed.
7. Learned counsel for the petitioners at this stage submitted that the petitioners are not being allowed to join at the places where the petitioners have been transferred.
8. Learned counsel for the respondent submits that in those petitions orders have been passed regarding joining of the petitioners in the place where they have been transferred.
9. In view of the above, no further order is required to be passed in these cases.

Sd/-
(Manindra Mohan Shrivastava)
Judge