

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 603 of 2017

Sanjay Kumar Nishad S/o Shyam Ratan Nishad, Aged About 31 Years R/o Village Silghat, Tahsil Berla, District Bemetara Chhattisgarh.....
(Petitioner)

---- Petitioner

Versus

1. A.K. Bhargav Posted As District Educaion Officer, Bemetara, District Bemetara Chhattisgarh.
2. Asha Ram Paikara, Posted As In- Charge Principal, Janta Higher Secondary School Bhimbhouri, Block Berla, District Bemetara Chhattisgarh.
3. Prem Lal Verma, Posted At President Gram Shikshan Samiti, Bhimbhouri, Block Berla, District Bemetara Chhattisgarh.....(Contemnors)

---- Respondents

Shri Praveen Dhurandhar, counsel for the petitioner/s.
Shri P.P.Sahu, counsel for respondents 2 and 3.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

21/11/2017

The respondents have filed their affidavit and have stated that the petitioner has been reinstated and allowed to work though as Maansevi Shikshak because according to the respondents, at the time of his disengagement from service, the petitioner was working as Maansevi Shikshak.

2. Learned counsel for the petitioner, however, disputes and submits that at the time of his disengagement, the petitioner was working as Lab Assistant. In the interim order dated 22/08/2017 passed in WPS No.3923/2017, this Court did not clearly state the post on which the petitioner shall be allowed to continue. Therefore, it is a matter of dispute as to what was the status of the petitioner at the time when he was disengaged.

3. Considering that the petitioner was re-instated and allowed to work as Maansevi Shikshak, in the absence of there being any specific mention in the interim

order regarding post on which the petitioner shall be allowed to continue, the respondents cannot be proceeded further in the contempt proceedings. The parties are at liberty to make appropriate application in the pending writ petition.

4. Learned counsel for the petitioner further pointed out that the order of this Court has been complied with at the cost of filing of contempt petition.

In this regard, the respondents have tendered their unconditional apology for the delay in implementation of interim order. The interim orders passed by this Court should be complied with promptly. However, considering that now, it has been done and apology has been tendered, I am not inclined to proceed further in the matter. Rule is discharged. Contempt petition is closed.

Sd/-
(Manindra Mohan Shrivastava)
Judge