

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 666 of 2017

- Krishna Ram Kowachi S/o Late Belsingh Kowachi, Aged About 53 Years Occupation Block Education Officer, Block Dongargaon, District Rajnandgaon Chhattisgarh.

---- Petitioner

Versus

1. Shri S. K. Bhardwaj Aged About 57 Years The District Education Officer, Rajnandgaon, Collectrate Building, District Rajnandgaon Chhattisgarh.
2. Shri Narend Kumar Panchbhawe S/o Shri R.S Panchbhawe Aged About 59 Years Block Education Officer, Block Dongargaon, District Rajnandgaon Chhattisgarh.

---- Respondents

For Petitioner : Mr. Vipin Tiwari, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order on Board

17/11/2017

Heard.

1. This Court had directed vide order dated 12-09-2017 in clear terms that if the petitioner is not relieved from the office of Block Education Officer, Dongargaon he shall be allowed to continue there only and it is only when he was already relieved earlier that he should be allowed to join in the Office of District Education Officer, Rajnandgaon. 3 orders passed by District Education Officer, Rajnandgaon and Block Education Officer, Dongargaon dated 26-09-2017 show that the petitioner was initially required to join in the Office of District Education Officer, Rajnandgaon. On the same date Block Education Officer, Dongargaon passed an order relieving the petitioner. This shows that the petitioner was earlier not relieved. Therefore, in these circumstances, the petitioner should have been allowed to work as Block Education Officer, Dongargaon. District

Education Officer, Rajnandgaon cancelled this earlier order on the same date on 26-09-2017.

2. It is clear that the petitioner was not relieved till order dated 12-09-2017 was passed by this Court. Therefore, he was required to be allowed to work as Block Education Officer, Dongargaon. But the District Education Officer and Block Education Officer, Dongargaon are either unable to understand the context of the order or deliberately avoiding compliance. Before initiating contempt proceeding, it would be appropriate, at this stage, to clearly state in continuation of earlier order that the petitioner should be allowed to continue as Block Education Officer, Dongargaon. Delay in compliance of this direction in the garb of seeking instruction from the Director Education or the Government shall be treated as an act of overreaching judicial direction and appropriate proceeding shall be drawn against the erring official. Let a copy of this order be submitted before the District Education Officer, Rajnandgaon for immediate compliance.

4. The Contempt petition is accordingly finally disposed off

Sd/-

(Manindra Mohan Shrivastava)

Judge