

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 15 of 2017**

Smt. Uttra Giri W/o Shri Kapur Giri Goswami, Aged About 38 Years
 Presently Posted As Assistant Teacher (Panchayat) Government
 Primary School, Loharapara Sargipal, Block- Jagdalpur, District
 Bastar, Chhattisgarh **---- Petitioner**

Versus

Shri K. L. Chouhan Posted As Chief Executive Officer, Zila
 Panchayat, Jagdalpur, District Bastar, Chhattisgarh
 (Contemnor) **---- Respondent**

For Petitioner : Mr. Rahul K. Mishra, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****12/01/2017**

Heard on admission.

1. This contempt petition has been filed by the petitioner alleging willful disobedience of the order dated 23.09.2016 passed by this Court in WPS No.5129 of 2016.
2. Learned counsel for the petitioner submits that despite order of this Court which was communicated vide representation dated 25.10.2016 and received in the Office of Chief Executive Officer, Jila Panchayat, Jagdalpur, Bastar on 25.10.2016, the list of eligible candidates have been published vide memo dated 30.10.2016 in which name of the petitioner has not been mentioned by treating her as not qualified, reckoning her eligibility from the date of her transfer and not from the date of initial appointment.
3. The spirit of the order of the Court is that if the petitioner's total length of service reckoned from the original date of appointment is 7 years or more, he/she should be treated as eligible though he/she may not be entitled to seniority. The representation has already been made by the

petitioner. The respondent shall examine the representation in the light of earlier order passed by this Court on 23.09.2016 in WPS No.5129 of 2016 before proceeding to consider eligibility in the matter of promotion.

4. With this observation, at this stage, contempt petition is disposed off. Let this order be placed before the respondent for due compliance.

Sd/-

(Manindra Mohan Shrivastava)
Judge