

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 41 of 2017**

Alka Agnes Kujur D/o Shri John Kujur, Aged About 31 Years
 Occupation- Service (Posted As Block Programme Manager At
 National Rural Health Mission, Block- Rajpur, District- Balrampur)
 R/o Behind Kripalaya, Niche Para, Fundurdehari, Ambikapur, P.S.
 Gandhi Nagar, Tehsil Ambikapur, Revenue & Civil District Surguja,
 Chhattisgarh
---- Petitioner

Versus

1. Avnish Sharan Posted As Collector Balrampur-Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh
2. Kumari Smriti Ekka, Posted As District Programme Manager, National Rural Health Mission Balrampur-Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh
3. Dr. Kraist Dular Bakhla, Posted As In-Charge Chief Medical And Health Officer Balrampur-Ramanujganj, District Balrampur-Ramanujganj, Chhattisgarh(Contemnors) **---- Respondents**

For Petitioner : Shri Surfaraj Khan, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****23/01/2017**

Heard.

1. The petitioner has been filed this contempt petition alleging willful disobedience of interim order passed by this Court on 28.09.2016 and continued till date.
2. Learned counsel for the petitioner submits that termination order has been stayed by this Court and there is a clear direction that the order of termination shall not be given effect to. After the interim order was passed by this Court, the petitioner is being allowed to continue, however, she is not to be paid her salary.
3. The records of the petition, out of which, this contempt petition has arisen is attached. The interim order was passed by this Court on

28.09.2016 thereafter the order has been continued. On 01.12.2016 petition was admitted and thereafter the case has been directed to be listed for final disposal in the week commencing 27th of March, 2017. The interim order has been continued. Once the termination order has been stayed and the petitioner has been allowed to continue, his salary is required to be paid. The payment of salary would always be subject to final outcome of the petition but once there is interim order, the petitioner cannot be denied the salary from the date interim order was passed.

4. At this stage, this contempt petition is disposed off with this clear observation that from the date interim order was passed, the petitioner is entitled to be paid salary. The petitioner shall communicate this order to all concerned. In case, she is not paid salary despite this order, the petitioner is at liberty to revive this contempt petition.

Sd/-

(Manindra Mohan Shrivastava)
Judge