

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 91 of 2017**

Chhabilal Baghel S/o Indal Baghel, Aged About 46 Years
 Shikshak Panchayat (Shiksha Karmi Grade II) Govt. Middle
 School, Andiyarkhor, Nawagarh District Bemetara, Chhattisgarh

---- **Petitioner****Versus**

M. K. Raout Secretary, Department Of Panchayat, Mahanadi
 Bhawan, Naya Raipur, District Raipur, Chhattisgarh

---- **Respondent**

For Petitioner : Mr. A.K. Prasad, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****15/02/2017**

Heard on admission.

1. This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 04.08.2016 passed by this Court by which, a direction has been issued for consideration of promotion of petitioner's case for the promotion from the post of Teacher (Panchayat) to Lecturer (Panchayat).
2. Learned counsel for the petitioner submits that in the order passed by this Court, direction was issued to respondent No.1 i.e. Secretary, Department of Panchayat.
3. After going through the order passed by this Court on 04.08.2016 and taking into consideration that under the Chhattisgarh Teacher (Panchayat) Cadre (Recruitment and Conditions of Service) Rules, 2012, it is not the Secretary but the Zila Panchayat and its authority who are competent to consider cases of promotion from the post of Teacher (Panchayat) to Lecturer (Panchayat), in *suo moto* exercise of power of

review, I modify order dated 04.08.2016 to the extent that the direction for consideration of petitioner's case for promotion will have to be carried out by the Chief Executive Officer, Zila Panchayat, Bemetara/respondent No.3 in WPS No.2413 of 2016. The direction is, therefore, required to be complied with on the same terms and conditions as per order passed by this Court subject to the correction/modification as directed above. The petitioner shall communicate this order to all the respondents of the writ petition as directed by this Court. Thereafter, if the direction is not complied with, the petitioner would be at liberty to revive the contempt petition.

4. The contempt petition is disposed off.

Sd/-

**(Manindra Mohan Shrivastava)
Judge**