

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 297 of 2017**

R.K. Singh S/o Late Shri Y.N.Singh, Aged About 61 Years Deputy Milk Commissioner, Dairy Services, Raipur, R/o B-53, Phase 1, Seepat Road, Vijayapuram Colony, Sarkanda, Bilaspur, Chhattisgarh, Chhattisgarh

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

1. Ajay Singh Additional Chief Secretary, Department Of Krshi, Pashudhan Vikas, Mahandi Bhawan, Mantralaya, Naya Raipur, Chhattisgarh, Chhattisgarh
2. Dr. S.S. Gaharwar Retired Director Of Veterinary Service, Chhattisgarh State Dairy Co-Operative Federation, Village Urla, Post, B M Y Charoda, P.S. Charoda, District Durg, Chhattisgarh

---- **Respondents**

For Petitioner	:	Shri Neeraj Choubey, Advocate
For State	:	Shri Ramakant Mishra, Dy.A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****26/04/2018**

This contempt petition has been filed by the petitioner alleging willful disobedience of order dated 23/08/2016.

2. Learned counsel for the petitioner submits that even though this Court restrained respondent No.2 from functioning as Managing Director in the Apex Society, respondent No.1 again issued an appointment order in favour of respondent No.2 on 27/04/2017.

3. This Court found that though there was an interim order passed by this Court on 23/08/2016 in WPS No.3023/2016, later on, another order was passed on 30/01/2017, in which, interim order passed on 23/08/2016 was observed as having become redundant in view of the statement that relief against respondent / S.S.Gaharwar has become infructuous. It was further observed that the

respondent authorities are at liberty to fill up the post of Managing Director. Thereafter, no interim order was passed in any proceedings and in the meantime, order of appointment of respondent / S.S.Gaharwar was again issued on 27/04/2017.

4. The submission that later on, order dated 27/04/2017 was again challenged by filing fresh petition and again interim order was passed, in my opinion, cannot be made a basis to initiate contempt proceedings for issuance of appointment order on 27/04/2017. Once the interim order was vacated and respondents were given opportunity to make appointments, no contempt is made out. Accordingly, the contempt petition is dismissed.

Sd/-
(Manindra Mohan Shrivastava)
Judge