

HIGH COURT OF CHHATTISGARH AT BILASPURCONT No. 1241 of 2018

1. Ganeshram Markam S/o Shri Ram Charan Markam, Aged About 36 Years, R/o Village Karpavand, Block-Bakavand, District- Bastar, Chhattisgarh.
2. Smt. Tulsi Baghel W/o Shri Narsingh Baghel, Aged About 32 Years, R/o Jhardumargaon, Block Bakavand, District- Bastar, Chhattisgarh.

---Petitioners

Versus

1. Shri Rajendra Jha, District Education Officer, Dantewada, District- Dantewada, Chhattisgarh.
2. Shri H. R. Som, District- Education Officer, Jagdalpur, District- Bastar, Chhattisgarh.

---Respondents

For petitioners : Shri Mahesh Mishra, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

03/12/2018

1. Present Contempt Petition has been filed alleging willful non-compliance of the order passed by this Court in WPS No.5282/2018 on 17/08/2018.
2. The contention of the counsel for the petitioners is that, in spite of an interim order being granted by this Court on 17/08/2018, the respondents have issued an order whereby they have awarded the services of the petitioners from the Panchayat to the School Education Department and the petitioners have been posted on a lower post i.e. Assistant Teacher whereas the petitioners ought to have been merged on the post of Teacher by virtue of an interim order granted by this Court on 17/08/2018.

3. Considering the documents which have been enclosed along with the Contempt Petition it does not reflect that the petitioners could bring to the notice of the authorities before the date of order of merger having been passed. There is no substantial document produced by the petitioners to show that the respondents were intimated well in advance in respect of an interim direction given in the case of the petitioners.

4. In the given facts, it would be difficult to hold that there was a willful disobedience or willful non-compliance of the order passed by this Court on 17/08/2018 warranting initiation of contempt proceedings.

5. Reserving the remedies left to the petitioners on the merits of the case, the present Contempt Petition stands rejected.

Sd/-

(P. Sam Koshy)
JUDGE

Sumit