

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 149 of 2019

Pratap Yadav S/o Jugut Ram Yadav Aged About 44 Years R/o Village Bhultola,tahsil Khairagarh, district Rajnandgaon Chhattisgarh At Present Posted At Forest Range Office Gurur District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Petitioner

Versus

1. Shri Jai Singh Mahsake Secretary Forest Department Mantralaya Mahanadi Bhawan Atal Nagar Raipur District Raipur Chhattisgarh., District : Raipur, Chhattisgarh
2. Sangeeta Gupta Chief Conservator Of Forest Chhattisgarh Raipur Distict Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. S.S.D. Badgaiya Conservator Of Forest Durg ,district Durg Chhattisgarh ., District : Durg, Chhattisgarh
4. S.P. Paikra The Divisional Forest Officer Forest Division Balod District Balod Chhattisgarh., District : Balod, Chhattisgarh
5. Mohd. Ryaz Khan The Forest Range Officer ,forest Range Balod District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Respondents

For Petitioner	:	Shri Jitendra Gupta, Advocate
For Respondent No.3	:	Shri Suyash Dhar, Advocate
For Respondent No.4	:	Shri Majid Ali, Advocate

S.B. : Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

01/03/2019

Heard.

1. After going through the contents of the petition, this Court finds that the petitioner's claim for regularization was rejected vide order dated 06.10.2018 principally on the ground that the petitioner has not remained in continuous service.

2. This Court vide its order dated 30.08.2017 passed in WPS No.4137 of 2017 had clearly observed that the petitioner shall be deemed to be in service without any break. That means, the petitioner ought to be treated as continuous in service and on that basis alone, his claim of regularization should have been considered. There is apparent error in the order dated 06.10.2018 which is contemptuous in nature. However, before initiating any proceeding, an opportunity is granted to the concerned authority to reconsider petitioner's claim strictly in accordance with the observation made by this Court and pass fresh order within a period of 45 days from the date of receipt of copy of this order, failing which, it would be open for the petitioner to revive this contempt petition.
3. Let a copy of this order be placed before the concerned authority, who passed the order dated 06.10.2018.
4. With the aforesaid liberty, the contempt petition is disposed off.

Sd/-
(Manindra Mohan Shrivastava)
Judge