

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 249 of 2019

1. Smt. Pinky Patel W/o Shri Gajpati Patel Aged About 26 Years
Presently Working As Cashier, Nagar Panchayat, Basna, District -
Mahasamund Chhattisgarh

---- Petitioner

Versus

1. Alarmelmangai D., Secretary Department Of Urban Administration
And Development Mahandi Bhawan, Atal Nagar, Police Station
Rakhi, District - Raipur Chhattisgarh
2. Alarmelmangai D., Director, Department Of Urban Administration
And Development Indravati Bhawan, Capital Complex, Atal Nagar,
Police Station Rakhi, District - Raipur Chhattisgarh
3. Shri Nilamber Nayak The Joint Director, Department Of Urban
Administration And Development Raipur, District - Raipur
Chhattisgarh
4. Shri Dinesh Kumar Yadav Chief Municipal Officer, Nagar Panchayat
Basna, District - Mahasamund Chhattisgarh

.....Respondents

For Applicant/Petitioner :Mr. Vivek Agrawal, Advocate.

For Respondents :Mr. Dharmesh Shrivastava, Advocate

For Respondent No. 3&4:Ms. Fouzia Mirza, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/06/2019

1. The present contempt petition has been filed alleging non
compliance of the Order dated 14.12.2018 passed in WPS No. 3581
of 2018 by this Court.
2. The claim of the petitioner originally was that since she was working
on the post of Cashier and was eligible for promotion to the post of

Accountant and her claim for promotion was also under active consideration before the authorities, the writ petition was disposed off expecting the authorities to take an early decision. The respondents it is alleged of non-compliance of the said directive.

3. The respondents have entered their appearance and have filed their reply. The Respondent no. 1 has filed Annexure R-1 dated 06.04.2019 whereby the State Government has taken a decision.
4. On due consideration, the petitioner was not found suitable for promotion to the post of Accountant as she does not fit into the channel of promotion to the post of Accountant as of now.
5. Given the fact, the respondents have already taken a decision holding a petitioner not suitable/entitled for promotion. This Court is of the opinion that the directive given by this Court stands complied with. In case, if the petitioner is aggrieved by subsequent decision of the respondents, the petitioner is entitled direction the same would be a fresh cause of action which needs to be challenged afresh and which cannot be decided under the contempt jurisdiction of this Court.
6. The contempt petition, accordingly stands disposed off, reserving the right of the petitioner to challenge the subsequent development.

Sd/-
(P. Sam Koshy)
Judge