

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 574 of 2019

- Smt. L. Jai Lalita W/o L. Giri Babu Aged About 35 Years R/o House No. 481,82 And 83, Dondekhurd, Housing Colony, Vidhan Sabha Road, Raipur, District Raipur Chhattisgarh

---- Petitioner

Versus

- Shiv Anand Tayal The Commissioner Municipal Corporation, Raipur, Police Station City Kotwali, District Raipur Chhattisgarh

---- Respondent

For Petitioner	:	Shri Sunil Kumar Soni, Advocate
For Respondent	:	Shri H.B.Agrawal, Senior Advocate along with Shri Pankaj Agrawal, Advocate

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

Order On Board

23/08/2019

Heard on application for exemption from personal appearance.

Upon perusal of the ground on which exemption is sought, application is allowed. Personal appearance of the respondent is exempted.

As against allegation that the Court's direction for payment of salary in respect of the period from August, 2016 to May, 2017 has not been paid and petitioner's case has not been considered despite specific direction, reply on affidavit has been filed on 22/08/2019 in which, it has been disclosed that as far as salary in respect of the disputed period is concerned, an order has been passed by the Additional Commissioner which shows that her claim for promotion has been rejected on the ground that as per seniority, her claim for promotion is not ripe.

A direction was issued to the Commissioner by this Court but the order was passed by the Additional Commissioner. It is found from the application for exemption from personal appearance that the Commissioner is on medical leave and therefore, his power has been exercised by the Additional Commissioner.

In view of the aforesaid consideration, I am not inclined to proceed further in the matter. Rule is discharged. Contempt petition is closed. However, this order

shall not come in the way of the petitioner in seeking such relief if he is still aggrieved by order dated 22/08/2019 rejecting his claim for promotion.

Sd/-
(**Manindra Mohan Shrivastava**)
Judge

Deepti