

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 572 of 2019

- Harileya Bai W/o Narsingh Yadav Aged About 50 Years R/o Village Bhulatola, Tahsil Khairagarh, District- Rajnandgaon, Chhattisgarh and Working At Forest Range Office Balod, District- Balod, Chhattisgarh

---- Petitioner

Versus

1. Shri Jai Singh Mahsake Secretary Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur, Chhattisgarh
2. Sangeeta Gupta Chief Conservator Of Forest, Chhattisgarh, Raipur, District Raipur, Chhattisgarh
3. S.S.D. Badgaiya Conservator Of Forest, Durg, District Durg, Chhattisgarh
4. S.P. Paikra, The Divisional Forest Officer, Forest Division Balod, District Balod, Chhattisgarh
5. Rajesh Nandulker, The Forest Range Officer, Forest Range Balod, Forest Division, Balod, District Balod, Chhattisgarh
6. M. Govind Rao S/o M.S. Rao Retired Forest Divisional Officer, Balod Division, Balod, District Balod, Chhattisgarh, At Present R/o Dharampura, Radhaswami Satsang Chowk, Pani Tanki, Pan Thela Ke Pas, Raipur, District Raipur, Chhattisgarh

---- Respondents

For Petitioner : Shri Jitendra Gupta, Advocate

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

Order On Board

26/07/2019

Heard.

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.4167 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