

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONT No. 571 of 2019**

1. Dileep Kumar Chandrakar, S/o Shri Awadhram Chandrakar, Aged About 32 Years, R/o Village And Post- Pendri, Police Station- Rajandgaon, At Present R/o Gandhi Gorakapur, Post- Gorakapur, Police Station- Gundardehi, District : Balod, Chhattisgarh

---- Applicant**Versus**

1. Shri R P Mandal, Secretary, Department Of Forest, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
2. Shri Rakesh Chaturvedi, Principal Chief Conservator of Forest, Aranya Bhawan, North Block- Sector-19, Atal Nagar, Raipur, District : Raipur, Chhattisgarh
3. Shri S.S.D. Badgaiya, Chief Conservator of Forest, Forest Circle, Malviya Nagar, Durg, District : Durg, Chhattisgarh
4. Shri Pankaj Kumar Rajput, Divisional Forest Officer, Forest Division Rajnandgaon, District : Rajnandgaon, Chhattisgarh
5. Shri Naresh Thakur, Forest Range Officer, Forest Range-South Manpur, Rajnandgaon, District : Rajnandgaon, Chhattisgarh

.....Respondents

For Applicant	:	Mr. S.P. Kale, Advocate
For Respondents/State	:	Mr. Jitendra Pali, Dy. Advocate Gen.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****14.10.2019**

1. The present Contempt Petition has been filed alleging non-compliance of the Order dated 15.02.2019 passed in WPS No. 1022 of 2019.
2. The respondents have now entered appearance and filed reply, along with the reply, they have produced document Annexure R-1 dated 30.09.2019; whereby the claim for regularization of the petitioner has

been rejected on the ground that the petitioner/applicant does not fulfill the conditions stipulated in the circular dated 05.03.2008.

3. At this juncture, the counsel for the applicant submits that there is an admission on the part of the respondents that the petitioner/applicant has already put in more than 10 years of continuous service since 2007 and this itself was sufficient for regularizing the services of the petitioner/applicant.
4. Further, the contention of the petitioner/applicant is that, the respondent authorities have not dealt with the judgment of ***Tukararam and Narendra Kumar Tiwari*** passed by this Court as well as by the Supreme Court respectively.
5. Having gone through the reply of the respondents, this Court is of the view that since there was a specific direction to consider the case of the petitioner/applicant and take a decision on his claim for regularization. The respondents having considered and having rejected the same. Rightly or wrongly the respondents have taken a decision.
6. In view of the fact that, they have taken a decision, this Court is of the opinion that the contempt petition no-longer survives. The respondents have in-fact complied with the order passed by this Court. In case, if the petitioner/applicant is aggrieved with the subsequent decision dated 30.09.2019.
7. The right of the petitioner stands reserved to challenge the same by way of a fresh proceeding. Reserving the said right of the petitioner/applicant, the present Contempt Petition stands disposed-off.

**Sd/-
(P. Sam Koshy)
Judge**