

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 770 of 2019**

- Rohit Kumar S/o Bharat Lal Aged About 52 Years R/o - Village Parras, Ward No. 18, Budhapara, Tahsil And Post Balod, District Balod Chhattisgarh, At Present Posted Gurur, Forest Range Office Gurur Circle, District Balod Chhattisgarh

---- Petitioner**Versus**

1. Shri Jai Singh Mahsake Secretary, Forest Department, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur District Raipur Chhattisgarh
2. Shalini Raina, Chief Conservator Of Forest, Chhattisgarh, Raipur District Raipur Chhattisgarh
3. S.S.D. Badgaiya Conservator Of Forest, Durg, District Durg Chhattisgarh
4. Satovisha Samajdar, The Divisional Forest Officer, Forest Division Balod, District Balod Chhattisgarh
5. Mohd. Riyaz Khan, The Forest Range Officer, Forest Range Balod, District Balod Chhattisgarh
6. M. Govind Rao, S/o. M.S. Rao, Retried 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
For Respondent No.1	:	Shri S. Majid Ali, Advocate
For Respondent No.3	:	Shri Suyash Dhar, Advocate

S.B.: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****18/10/2019**

This petition has been filed by the petitioner alleging willful disobedience of the order passed by this Court on 29.8.2017 on the submission that despite there

being a clear direction that the entire period during which the petitioner remained out of employment shall be treated to be in service, while considering petitioner's claim for regularization, the authority has recorded a finding that the petitioner has failed to prove that he continuously worked against sanctioned post from 01.01.1989 to 31.12.1997.

2. This Court, while passing order dated 29.8.2017, granted benefit to the petitioner to the extent that the period during which he remained out of employment upon termination until reinstatement by the order of the Labour Court shall be treated to be as period spent in service and nothing more. There is no finding that the petitioner worked against sanctioned post nor is there any finding that he continuously worked on the post from 01.01.1989 to 31.12.1997. The period for which the petitioner has not been found to be continuously working is other than the period which has been directed to be treated as period of service by order dated 29.08.2017 in the Writ Petition (S) No.4113 of 2017. Therefore, no contempt is made out.

3. Learned counsel for the petitioner, at this stage, submits that the petitioner actually worked continuously against sanctioned post between the period 01.01.1989 to 31.12.1997. This aspect cannot be gone into the contempt petition. The petitioner's remedy lies in taking appropriate remedy in another Forum.

4. With the said observation, the petition is dismissed.

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