

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 951 of 2019

1. Rajesh Kumar Shrivastava, S/o Late A.K. Shrivastava, Aged About 57 Years, Working As Joint Director At Office of Joint Director, Treasury Account And Pension Bilaspur, District : Bilaspur, Chhattisgarh

---- Applicant

Versus

1. Smt. Shahla Nigar, Secretary, Department Of Finance, Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District : Raipur, Chhattisgarh
2. Smt. Sharda Verma, Joint Secretary, Department Of Finance, Mantralaya, Mahanadi Bhavan, Nava Raipur, Atal Nagar, District : Raipur, Chhattisgarh
3. Smt. Prema Gulab Ekka, Under Secretary, Department Of Finance, Mantralaya, Mahanadi Bhawan, Nava Raipur, Atal Nagar, District : Raipur, Chhattisgarh
4. Bhavesh Kumar Dubey, Finance Officer, Bilaspur University Bilaspur, Through Office Of Joint Director, Treasury Account And Pension Bilaspur, District : Bilaspur, Chhattisgarh

---Respondents

For Petitioner	:	Mr. Vinod Deshmukh, Advocate
For State	:	Mr. Amrita Das, Addl. Adv. General
For Respondents	:	Mr. Vivek Sharma, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

16.12.2019

1. The present Contempt Petition has been filed alleging non-compliance of the Order dated 09.09.2019 passed in WPS No. 7063 of 2019.

2. The writ petition had been filed challenging the order of transfer dated 23.08.2019 transferring the petitioner to the university. This Court vide order dated 09.09.2019 had by way of an interim order stayed the effect and operation of the said transfer. While granting the interim protection, liberty was given to the respondents to take appropriate steps in redressing the grievance of either of the parties ie., petitioner as well as the employee, who was replacing the petitioner (the respondent no. 3 in the writ petition). After the issuance of notice, the respondents have entered appearance and have filed reply, along with the reply they have enclosed a document dated 03.10.2019, vide the said order the posting of the petitioner/applicant to the university has been recalled and he has been transferred to a different place in the department itself.
3. The counsel for the petitioner submits that the interim order is still in force and, therefore, they could not have brought any change of posting of the petitioner. The contention of the counsel for the applicant is that the liberty granted to the respondent was only in-respect-of the contention of the Respondent No. 3 in the writ petition as regards his having already given joining. On a query put-forth by the Court to the learned counsel for the petitioner as regards whether the respondent authorities are insisting the petitioner to join his service in the university, he clearly admits that he is not being asked to join at the university.
4. Given the said contention put-forth by the applicant as well as considering the order dated 03.10.2019, this Court is of the opinion

that no contempt as such has been made-out and the contempt petition accordingly stands disposed-off.

5. Needless to mention that if at all the petitioner/applicant is aggrieved of any subsequent action on the part of the respondents, he would be at liberty to take appropriate recourse in-accordance-with law.
6. The present Contempt Petition accordingly stands disposed-off.

Sd/-
(P. Sam Koshy)
Judge