

HIGH COURT OF CHHATTISGARH AT BILASPURCONT No. 10 of 2019

Amrit Lal Baghel S/o Mahettar Lal Baghel, Aged About 43 Years, R/o Village And Post - Kotmisunar, Tahsil And Police Station - Akaltara, District – Janjgir-Champa, Chhattisgarh.

---Petitioner

Versus

Satish Kumar Pandey, The District Education Officer Korba, District – Korba, Chhattisgarh.

---Respondent

For petitioner : Shri Ravi Maheshwari, Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

18/03/2019

1. The instant Contempt Petition has been filed alleging non-compliance of the order passed by this Court in WPS No. 2710/2018 d/on 28/03/2018. The direction in the said order was to consider the claim of the petitioner so far as the period of absence from duty is concerned.
2. The respondent on notice have entered appearance and submitted their reply. That along with reply, they have also enclosed Annexure-R/1 dated 11/03/2019. The respondent vide the said order has passed an order in compliance to the directives given by this Court and ordered that since there was an unauthorized absence by the petitioner without any intimation, sanction or permission from the authorities in the department, the said period would be treated as without pay.

3. In view of the order dated 11/03/2019, this Court is of the opinion that, the respondent infact has duly complied with the directives given by this Court in WPS No. 2710/2018.

4. If at all if the petitioner is aggrieved of the subsequent decision of the respondent declaring the period as leave without pay, the petitioner would have to challenge the same by way of fresh proceedings as the veracity of that order cannot be looked into under the contempt jurisdiction.

5. Reserving the right of the petitioner for the same, the instant Contempt Petition stands disposed off.

Sumit

Sd/-
(P. Sam Koshy)
JUDGE