

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No.211 of 2019

Nandkishore Tiwari S/o Shri Khedu Prasad Tiwari Aged About 47
Years R/o Bazarpara, Pandariya, Tahsil And Police Station
Pandariya, District Kabirdham (Kawardha) Chhattisgarh

---- Petitioner

Versus

1. Alarmelmangai D. Secretary Urban Administration And Development
Department Secretary, Urban Administration And Development
Department, Mantralaya, Atal Nagar, Raipur, District Raipur
Chhattisgarh
2. Ashok Chandrakar Joint Director, Urban Director, Urban
Administration And Development Department, Raipur District Raipur
Chhattisgarh
3. Lal Ji Chandrakar Chief Municipal Officer, Nagar Panchayat
Pandriya, District Kabirdham Chhattisgarh., District : Kawardha
(Kabirdham), Chhattisgarh

....Respondents

For Petitioner	:	Mr. Bhupendra Kumar Pandey, Advocate
For Respondents No.1 & 3 :		Mr. Dharmesh Shrivastava, Advocate

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

03.01.2020

Heard.

1. Though there is prayer for seeking adjournment, I am not inclined to grant time because it is found that the petitioner's case has been considered for regularization and rejected on merits. It is also found that one of the main reason for rejecting petitioner's claim for regularization is that the petitioner himself had resigned from service on 15.10.2013.

2. When this Court had passed an order on 11.12.2015 in the writ petition, none of the parties brought it to the notice of the Court that the petitioner had resigned from service during the pendency of WPS No.1435 of 2013.

3. Therefore, even if the break period of 18 years which otherwise was liable to be taken into consideration, the other reasons have also prevailed to reject the representation. Therefore, no case of contempt is made out. It will be open for the petitioner to challenge the order for rejecting claim for regularization on such grounds as may be available to him under the law.

4. The contempt petition is accordingly closed.

Sd/-

(Manindra Mohan Shrivastava)
Judge