

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CONT No. 208 of 2020

1. Akhilesh Kumar Bharadwaj, S/o Shri Balchand Bharadwaj, Aged About 33 Years, Presently Working As Assistant Grade-III, In Municipal Council Akaltara, District : Janjgir-Champa, Chhattisgarh

---- Applicant

Versus

1. Himanshu Tiwari, Joint Director, Regional Office, Department Of Urban Administration And Development Bilaspur, District : Bilaspur, Chhattisgarh
2. Hitendra Yadav, Chief Municipal Officer, Nagar Panchayat Shivrinarayan, District Janjgir Champa Chhattisgarh

-----Respondents

For Applicant	:	Ms. M. Asha, Advocate
For Respondent No. 1	:	Ms. Prakritee Jain, Advocate
For Respondent No. 2	:	Mr. Prateek Sharma, Advocate

Hon'ble Shri Justice P. Sam Koshy

Order on Board

19.08.2020

1. As per the Order passed by this Court on 17.07.2020, the respondent no. 2 is present before this Court. Since the respondent no. 2 has entered his appearance and is also represented through a counsel, the further proceedings of issuance of warrant stands dropped at this stage.
2. The counsel appearing for the respondent submits that the present contempt petition has been filed alleging non-compliance of the Order passed by this Court in WPS No. 6350 of 2019, decided on 26.08.2019.
3. According to the counsel for the applicant, the direction of this Court

to the respondents was to consider and decide the claim of the petitioner/applicant for grant of promotion to the post of Accountant as the petitioner was the senior most eligible candidate for the said post in the Department.

4. The counsel appearing for the respondents submit that so far as the role to be played by the present respondents are concerned, they have complied with the Order of this Court in its letter and spirit to the extent that on scrutiny, they have found the petitioner/applicant to be eligible for promotion and have accordingly recommended his case for promotion. However as per rules, the approval is required from the State authorities and the matter therefore has been forwarded by the answering respondents to the State Government for necessary approval.
5. The counsel for the respondents also submit that in order to show compliance, they have also filed a detailed reply supporting with all relevant documents.
6. The fact so submitted by the learned counsel for the respondents is not disputed by the counsel appearing for the applicant . However, right of the petitioner/applicant to approach the Court may be kept reserved in the event, if any, adverse orders being passed against the petitioner/applicant or in the event of any further grievance of the petitioner/ applicant stands unredressed.
7. Given the said submission by the counsel appearing for either side, the contempt proceedings accordingly stands dropped and the respondents stand discharged from the contempt proceedings. However, the right of the applicant/petitioner stands reserved for

approaching the Court in the event, if any, need so arises at a later stage.

8. With the aforesaid directions, the Contempt Petition stands disposed off.

Sd/-
(P. Sam Koshy)
Judge

Rahul