

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (Cr.) No.265 of 2019

A.P. Dubey, Retired Forest Ranger, S/o Late Gaya Prasad Dubey, Aged about 73 years, R/o House No.323, Lane Besides Union Bank, Ward No.9, Bemetara, District Bemetara, Chhattisgarh, Pin Code 491335

---- Petitioner

Versus

Shri J.S. Bhargav, Divisional Forest Officer, Anuppur, District Anuppur (M.P.)
Deponent W.A.No.788/2018

---- Respondent

For Petitioner: Petitioner in person.
For Respondent: Mr. Manish Nigam, Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

02/01/2020

1. The instant petition has been filed by the petitioner seeking relief that proceedings under Section 181 of the CrPC may be initiated against the respondent for swearing false affidavit and filing in W.A.No.788/2018 filed by the State of Madhya Pradesh before the Division Bench of this Court.
2. I have heard the petitioner in person and the learned counsel for the respondent.
3. The petitioner filed original application before the State Administrative Tribunal, Raipur seeking relief that he should be granted the benefit of promotion on the post of Deputy Ranger with effect from 26-11-1980 and to the post of Ranger with effect from 30-12-1995 i.e. the date when Mr. O.P. Sharma and Mr. S.C. Sharma were promoted as Deputy Ranger and Ranger, respectively. Ultimately, the matter was transferred to this Court and registered as W.P.(S)No.4765/2005 which was allowed by the learned Single Judge of this Court by order dated 7-3-2018 against which the State of Madhya Pradesh preferred W.A.No.788/2018 which was also

allowed by this Court on 4-2-2019 to the extent that the order passed by the learned Single Judge granting all consequential benefits including monitory benefits were quashed. However, the respondent / State of Chhattisgarh was directed to consider promotion to the post of Deputy Ranger and Ranger in terms of the direction contained in para 27 of the order of the learned Single Judge. Feeling aggrieved against the order of the learned Division Bench, Review Petition No.74/2019 was filed by the petitioner herein which was dismissed by the Division Bench of this Court on 29-4-2019 finding no merit and thereafter, Contempt Case No.1007/2018 filed by the petitioner herein seeking compliance of the order of the learned Single Judge in W.P.(S)No.4765/2005 was also closed holding that the order of the learned Single Judge as modified by the Division Bench has already been complied with and the petitioner's salary has been re-fixed notionally and consequently, his pension case has also been revised and all arrears of pension has also been paid and current pension on higher basis is also being paid.

4. Now, this petition is filed for initiating action against the respondent under Section 181 of the CrPC. In view of the fact that the order of the learned Single Judge was modified by the Division Bench and the order as modified by the Division Bench has also been complied with and contempt case has been closed and the petitioner is getting revised pension pursuant to the order of the writ court, I do not find any good ground to entertain this petition, as dispute between the parties has come to an end. The writ petition deserves to be and is accordingly dismissed *in limine*. No order as to cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge