

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 640 of 2020**

1. Ghanshyam Chandra S/o Shri B. G. Chandra Aged About 37 Years Working As Electrician Instructor, Govt. Iti, Korba Bilaspur Zone R/o Q. No. Nf-229, Cseb Colony, Korba (East), Opp. Blue Biro School, Korba District Korba Chhattisgarh
2. Tulsi Sahu D/o Shri Jagannath Prasad Sahu Aged About 39 Years Working As Electrician Instructor, Govt. Iti, Korba Bilaspur Zone R/o Sai Chhaya Ekta Nagar, Bhilai-3, District Durg Chhattisgarh
3. Santosh Kumar Sahu S/o Shri R. P. Sahu Aged About 43 Years Working As Electrician Instructor, Govt. Iti, Korba Bilaspur Zone R/o Village Laripara, (Khargahana), P.O. Laber, Village Ganiyari, District Bilaspur Chhattisgarh

---- Petitioners**Versus**

1. Shri Awanish Kumar Sharan Director, Employment And Training (Training Wing) Directorate Employment And Training First Floor, 4th Block, Indrawati Bhawan, Nawa Raipur District : Raipur, Chhattisgarh
2. Shri Akhtar Abbas Principal / Superintendent/ Institute Incharge, Industrial Training Institute Korba District Korba Chhattisgarh

---- Respondents

For Petitioner/s : Mr. Manoj Makkar, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****24/08/2020**

Heard.

1. This contempt petition has been filed by the petitioners alleging willful disobedience of the order passed by this Court on 22.08.2016 and 25.09.2017 in the writ petitions filed by the petitioners. It is stated that despite continuance of interim order, vide order dated 25.07.2020, services have been discontinued without the leave of the Court.
2. In view of the order dated 22.08.2016 and 25.09.2017 passed by this Court in batch of writ petitions including petition filed by the aforesaid petitioners, the petitioners were entitled to continue as contractual employee. Vide order dated 25.09.2017, it was clearly stated that the interim orders shall not come in the way of authorities in passing orders relating to renewal of

contractual appointments. But it was made clear that services shall not be discontinued without the leave of the Court. Vide order dated 25.07.2020, services of aforesaid petitioners have been dispensed with by treating them as surplus. But no leave has been sought from the Court. This is clearly not permissible. It appears that the authority which passing the order on 25.07.2020 have either deliberately disobeyed the order of the Court or has not understood the order of the Court in its proper perspective. It appears that order dated 25.07.2020 has been passed with reference to orders passed by the Directorate, Employment and Training, Raipur on 28.05.2020. Without the leave of the Court, neither the Directorate nor the Principal of Industrial Training Institute, Korba could have discontinued the services of the petitioners in this contempt petition.

3. Before initiating contempt proceedings, this Court deems it proper to give the Principal of Industrial Training Institute, Korba an opportunity to withdraw order dated 25.07.2020 and allow the petitioners continue in service in the same capacity, in which, they were working prior to 31.07.2020.
4. Let a copy of this order be submitted by the petitioners before the Principal of Industrial Training Institute, Korba for necessary compliance.
5. If order dated 25.07.2020 is not withdrawn within 10 days from the date of receipt of copy of this order, it would be open for the petitioners to revive contempt petition and in such an eventuality, serious view of the contemptuous act would be taken note of and appropriate proceedings would be drawn by the Court to punish the concerned authority for contempt by imposing fine or jail sentence.
6. With the aforesaid observations and direction, this contempt petition, at this stage, is disposed off.

Sd/-

(Manindra Mohan Shrivastava)
Judge