

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONTEMPT CASE (C) NO. 878 OF 2019**

- Santosh Kumar Soni S/o Late Shri Salik Ram Soni, aged 36 years, R/o Gayatri Chowk, Tikrapara, Doundilohara, P.S. Doundilohara, District Balod (CG)

... Petitioner**versus**

1. Shri R.P. Mandal, Secretary, Department of Forest, Mantralaya, Mahanadi Bhawan, Atal Nagar, Raipur, District Raipur (CG)
2. Shri Rakesh Chaturvedi, Principal Chief Conservator of Forest, Aranya Bhawan, North Block, Sector-19, Atal Nagar, Raipur, District Raipur (CG)
3. Shri S.S.D. Badgayain, Chief Conservator of Forest, Forest Circle Durg, Malviya Nagar, District Durg (CG)
4. Smt. Satovisha Samajdar, Divisional Forest Officer, Forest Division Balod, District Balod (CG)
5. Shri M.S. Dongre, Forest Range Officer, Forest Range- Dondolohara, District Balod (CG)

... Respondents

For Petitioner	:	Mr. S.P. Kale, Advocate, along with Mr. Lav Sharma, Advocate.
For Respondents No.1 & 2 :		Mr. S.C. Verma, Advocate General.
For Respondent No.3	:	Mr. Himanshu Sinha, Advocate, under instructions of Mr. Suyash Dhar, Advocate.
For Respondents No.4 & 5 :		Ms. Sunita Jain, Advocate.

Hon'ble Shri Justice P. Sam Koshy**Order on Board****09/03/2020**

1. The present contempt petition has been filed alleging non-compliance of the order dated 18.2.2019 passed by this Court in WPS No. 1040/2019.
2. It would be relevant at this juncture to take note of the direction given by this Court while disposing of the said writ petition. This Court had in the operative part of the aforesaid order directed the respondents to reconsider the case of the petitioner for regularization and to pass a fresh order.
3. The respondents on notice have entered appearance and filed documents. Pending the contempt petition, the respondents have taken a decision finding the petitioner not fit for regularization and later on passed an order on 28.11.2019 in this regard intimating the same to the petitioner.
4. Given the fact that the direction to the respondents by this Court was for reconsidering the case of the petitioner and to pass a fresh order and the respondents now having passed an order on 28.11.2019 after reconsidering the case of the petitioner, this Court is of the view that the direction given by this Court stands complied with.

5. However, in case, if the petitioner is of the view that the order dated 28.11.2019 is not proper, legal and justified, the only recourse now left for the petitioner is to challenge the same by way of a fresh writ petition. Veracity of the said order is not one which can be tested exercising the contempt jurisdiction of this Court under the Contempt of Courts Act.

6. Accordingly, reserving the right of the petitioner to challenge the order dated 28.11.2019, the contempt petition is disposed of and the respondents are discharged from the contempt proceedings.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE