

HIGH COURT OF CHHATTISGARH AT BILASPUR**CONTEMPT CASE (C) NO. 1108 OF 2019**

Ganesh Sahu S/o Late Shri Gopal Sahu, aged about 52 years, R/o Village-Paniyajob, Thana Bortalab, Tahsil- Chhuikhadan, District- Rajnandgaon (CG)

... Petitioner

versus

1. Jai Singh Mahaske, aged about 58 years, posted as Secretary, Department of Forest, Mahanadi Bhawan, New Mantralaya (Atal Nagar), Raipur, District- Raipur (CG)
2. Bhogilal Saran, aged about 55 years, posted as Principal Chief Conservator of Forest, Head Quarter, Jail Road, Raipur, District Raipur (CG)
3. Shalini Raina, aged about 54 years, posted as Chief Conservator of Forest, Durg Circle, District Durg (CG)
4. Ramavatar Dubey, aged about 50 years, posted as Divisional Forest Officer, Khairagarh, District Rajnandgaon (CG)

... Respondents

For Petitioner	:	Mr. Bharat Rajput, Advocate.
For Respondent No.1	:	Mr. Syed Majid Ali, Advocate.
For Respondent No.2	:	Mr. V.R. Tiwari, Add. Advocate General, along with Ms. Abhyunnati Singh, P.L.
For Respondents No.4	:	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 11.3.2019 passed by this Court in WPS No. 1697/2019.
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 26.11.2019 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 26.11.2019 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 26.11.2019 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 26.11.2019, the contempt petition is disposed of and the respondents are discharged from the contempt proceedings.

/sharad/

Sd/-
(P. Sam Koshy)
JUDGE