

HIGH COURT OF CHHATTISGARH AT BILASPUR

CONT No. 1059 of 2019

M.R. Sahu S/o Mayaram Sahu Aged About 49 Years R/o Forest Division
Office, Korba District Korba Chhattisgarh

---- Petitioner

Versus

1. Mr. Gurunathan N. Divisional Forest Officer, Korba District Korba Chhattisgarh
2. Mr. Anil Soni Incharge Chief Conservator Of Forest, Bilaspur Circle, district Bilaspur Chhattisgarh,
3. Mr. Ayush Jain Deputy Director, Guru Ghasidas National Park, Baikunthpur, District Korea, Chhattisgarh

---- Respondents

For Petitioner	: Shri Manoj Paranjpe, Adv.
For Respondents	: Shri Syed Majid Ali, Adv.

Hon'ble Shri Justice P. Sam Koshy

Order on Board

13.01.2020

1. The present contempt petition has been filed alleging dis-obedience of the order dated 30.09.2019 passed in WPS No. 7920/2019.
2. Counsel for the petitioner alleged that the petitioner has not been permitted to resume his duty at Kartala, Division Korba where he had already given joining on 23.08.2019 in respect of the specific order dated 30.09.2019 staying transfer order transferring the petitioner to Sukma.
3. Shri Syed Majid Ali appearing for the respondents No. 1 & 3 submits that petitioner still remains in the rolls of the Forest Division Korba and posted at Kartala Korba. According to the counsel for the respondents as such they have not made any change in the service condition of the petitioner. The petitioner after having given his joining has remained unauthorizedly absent in between and he has

also been issued with a show-cause notice. Counsel for the Respondents at the same time also gives an undertaking that unless there is a specific instruction issued from the Higher Authority the respondents herein alleged contemnors would not relieve the petitioner from the present place of posting i.e. Kartala Korba.

4. Given the aforesaid statement by the Counsel for the respondents, this Court is convinced of the fact that there is no willful disobedience of the order dated 23.08.2019 passed by the respondents.
5. If at all, if the Higher Authorities in the Department have passed any subsequent order, the petitioner would be at liberty to avail appropriate remedies open for the petitioner.
6. The Petitioner today has moved an application for impleading Secretary of Forest Department, Chhattisgarh, this Court is of the view that the said application would be in respect of a subsequent cause of action which could have been dealt with by the petitioner by way of a fresh proceedings or by way of fresh contempt proceedings.
7. The contempt petition accordingly stands disposed of.

Sd/-
(P. Sam Koshy)
Judge