

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

Contempt Petition No.1184 of 2019

Sitaram Sande Vs. Smt. Niharika Barik & Another

20.02.2020	Shri NK Malviya, Advocate for the petitioner. Shri Animesh Tiwari, Advocate for the respondents. Alleging non compliance of the order dated 17.09.2019 passed in WPS No.7435 of 2019, the present contempt petition has been filed. The writ petition was disposed of with an observation that the petitioner may prefer a representation, if he is aggrieved of the transfer order dated 22.08.2019, and the respondents may decide the same as expeditiously as possible. The counsel for the respondents today entered appearance and produced an order dated 28.01.2020 whereby they have rejected the representation of the petitioner holding that seniority of the petitioner would not be adversely affected. Given the said facts, this court is of the opinion that the order passed by this court on 17.09.2019 stands duly complied with. So far as the contention of the petitioner that delay on the part of the respondents has prevented the petitioner from giving his joining at the transferred place is concerned, the same is totally a

misconceived argument as there was no specific stay order granted by this court in favour of the petitioner so far as operation of the transfer order is concerned and under such circumstances the petitioner was required to give his joining immediately or avail appropriate other remedy under service rules.

In view of above, since the order passed by this court on 17.09.2019 stands duly complied, the contempt petition stands disposed of.

The respondents are discharged from the contempt proceeding.

Sd/-
(P. Sam Koshy)
Judge