

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

W.P.(L) No. 134 of 2012

The Principal, Rajkumar College & Anr. **Versus** Mrs. Savita Mohanty

04.12.2015	Smt. Fouzia Mirza along with Smt. Smita Jha, counsel for the petitioners. Ms. Purnima Singh, counsel for the respondent. Heard on I.A. No.4, application for reconsideration of the order passed by this Court on 31.07.2015. Counsel for the petitioners are aggrieved by the last paragraph of the order dated 31.07.2015 wherein this Court has observed as under:- “The petitioners authorities are expected to honour the order dated 23.08.2012 passed by this Court, failing which this Court will be constrained to draw an adverse inference against the petitioners.” From the order dated 31.07.2015 it is explicit that an order dated 08.05.2012 has been challenged by the petitioners in the present writ petition. An interim relief was granted by this Court on 23.08.2012 only to the extent of staying the payment of back wages in favour of the petitioners which itself shows that the respondent employee had to be taken back in the employment. This fact was observed by this court while passing the order dated 31.07.2015 which the petitioners intend by the present application i.e. I.A. No.04 to be reconsidered. In the opinion of this Court, the said application is totally misconceived and shows the high handedness and vindictive approach of the petitioners in authoritatively showing the fact that they would not comply the order under challenge until and unless this Court finally decides the present writ petition. It otherwise also amounts to an act of non-compliance of the order dated 08.05.2012 in	

spite of the fact that there is no interim order on the reinstatement part in favour of the petitioners.

Accordingly, I.A. No.04 being misconceived and devoid of any merit, the same is rejected. The respondent shall be at liberty to initiate any proceedings permissible under the law for non-compliance of the order under challenge in the present writ petition.

List this case in due course.

Sd/-
P. Sam Koshy
Judge

Bhola