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CONC-1582-2024

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE PRANAY VERMA

ON THE 16th OF MARCH, 2026

CONTEMPT PETITION CIVIL No. 1582 of 2024

ASHOK KUMAR PADEYAR

Versus

SHRI MOHAMMAD SULEMAN AND OTHERS

.....
Appearance:

Shri Prasanna R. Bhatnagar - Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and 4.

.....
WITH

CONTEMPT PETITION CIVIL No. 1338 of 2024

RAMSWARUP PANWAR

Versus

SHRI MOHAMMAD SULEMAN AND OTHERS

.....
Appearance:

Shri Prasanna R. Bhatnagar - Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondent No.4.

.....
CONTEMPT PETITION CIVIL No. 1343 of 2024

KAILASH HANS

Versus

SHRI MOHAMMAD SULEMAN AND OTHERS

.....
Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -
Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and



4.

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CONTEMPT PETITION CIVIL No. 1346 of 2024

MUKESH KANDARE

Versus

SHRI MOHAMMAD SULEMAN AND OTHERS

.....

Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -
Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and

4.

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CONTEMPT PETITION CIVIL No. 1350 of 2024

BAPULAL LOT

Versus

SHRI MOHAMMAD SULEMAAN AND OTHERS

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Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -
Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and

4.

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CONTEMPT PETITION CIVIL No. 1351 of 2024

RAMCHANDRA LOT

Versus

***SHREE MOHAMMAD SULEMAN PRAMUKH SACHIV MAHODAY
LOK SWASTHYA VA PARIWAR KALYAN MANTRALAY AND
OTHERS***

.....

Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -



Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and

4.

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CONTEMPT PETITION CIVIL No. 1353 of 2024

SANJAY CHANAAL

Versus

***SHREE MOHAMMAD SULEMAAN PRAMUKH SACHIV MAHODAY
LOK SWASTHYA VA PARIWAR KALYAN MANTRALA AND
OTHERS***

.....
Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -

Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondent No.2.

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CONTEMPT PETITION CIVIL No. 1354 of 2024

PRAKASHCHANDRA KALOSIYA

Versus

***SHREE MOHAMMAD SULEMAN PRAMUKH SACHIV MAHODAY
LOK SWASTHYA VA PARIWAR KALYAN MANTRALAYA AND
OTHERS***

.....
Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -

Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and

4.

.....
CONTEMPT PETITION CIVIL No. 1376 of 2024

JAGDISH LOT

Versus

***SHRI MOHAMMAD SULEMAN AND OTHERS***

Appearance:

Shri Prasanna R. Bhatnagar - Advocate with Shri P. Bhatt -
Advocate for the petitioner.

Shri Bhuwan Deshmukh - Advocate for the respondents No.2 and
4.

ORDER

01. Since these petitions arise out of similar orders, they have been heard together and are being decided by a common order. Facts are being taken from CONC No.1582/2024.

02. This petition has been preferred by the petitioner alleging non-compliance of order dated 06.12.2023 passed in W.P. No.18751/2022, whereby he was granted benefit of regularization from relevant date of 2004 up to 07.04.2016 with consequential benefits. The exercise was directed to be done within a period of three months. Since the order was not complied with by the respondents, this contempt petition has been preferred by the petitioner.

03. On 06.02.2026 by taking into consideration the entire proceedings of the petition, this Court prima facie found the respondents to have committed breach of the order and contempt of the lawful authority of this Court. It was held that they have deliberately disobeyed the order passed by this Court. However, before proceeding to take any punitive action against the respondents, they were granted one more opportunity to comply with the order. The relevant part of the order dated 06.02.2026 is as under:-



"03. On 04.09.2024, counsel for the respondents submitted that compliance report would be filed within a period of two weeks. On 25.09.2024 counsel for the respondents produced an order passed by the Chief Medical and Health Officer, District Mandsaur to contend that the order passed in the Writ Petition has been complied with. This Court held that from a perusal of the order passed in the Writ Petition and the order dated 25.09.2024, it cannot be said that the order has been complied with and the respondents were directed to file the reply with a period of four weeks. On 05.02.2025, respondent No.4 was directed to file affidavit as to when upon receipt of certified copy of the order passed in the Writ Petition, he initiated steps towards its implementation. In compliance, affidavit was filed by respondent No.4 stating that the matter has already been forwarded to the Commissioner upon which notices were issued to him.

04. Thereafter, it was submitted by the respondents that a Writ Appeal has been preferred against the order passed in the Writ Petition and on 02.07.2025, it was intimated that the same has been dismissed on 20.05.2025. Counsel for the respondents then prayed for and was granted a period of one month to ensure compliance of the order with the caveat that if the order is not complied with within one month, this Court may pass appropriate orders against the erring Officer.

05. Thereafter, by order dated 10.09.2025, the respondents were directed to positively file the compliance report by the next date of hearing stipulating that in absence thereof adverse order may be passed by this Court. On 08.10.2025, further time for compliance was granted subject to payment of cost of Rs. 25,000/-. On 03.12.2025, though contention of respondents was recorded that they are preferring an appeal against the order passed in the Writ Petition but it was observed that no such Writ Appeal has been filed. All the respondents were directed to remain present before this Court on 17.12.2025. Thereafter, on 13.01.2026, it was stated that the Writ Appeal is proposed to be listed on Friday and time was prayed for which was granted by way of short adjournment. The Writ Appeal bearing WA No. 3612 of 2025 was listed before the Division Bench but has been adjourned with a direction for filing affidavit in support of the application for condonation of delay. No date has been fixed in the appeal.

06. Today, it has again been prayed by the counsel for the respondents that time may be granted for obtaining orders from the Division Bench. It is well settled in law that mere approaching the higher forum challenging an order does not absolve the liability of complying with the order. The same would be particularly more so since in the present case, the order was passed more than two years ago. Admittedly, no interim order has been passed in the appeal which has been preferred only recently after a period of two years from the date of passing of the order in the Writ Petition.

07. In the present proceedings repeated warnings have been issued to the respondents and heavy cost has also been imposed upon them.



They have also been directed to remain personally present. However, the respondents have chosen not to comply with the order and have on one pretext or the other been taking time but have not shown any inclination of complying with the order. They have resorted to all possible tactics but have not complied with the order. The acts of the respondents as narrated above leave no room for doubt that they do not have any intention of complying with the order passed by this Court and have deliberately and willfully refused to obey and comply with the same. They have been misleading this Court on one pretext or the other and have been gaining time.

08. In such circumstances, the respondents have prima facie committed breach and contempt of the lawful Authority and have willfully and deliberately disobeyed the order passed by this Court. However, before proceeding to take any punitive action against the respondents, I deem it appropriate to grant them one more opportunity to comply with the order passed by this Court. They are granted a period of four weeks for doing the same."

04. Today, learned counsel for the respondents has produced a compliance report, wherein it has been stated that on 12.03.2026, an order of regularization has been passed in favour of the petitioner. It may be mentioned that though on 06.02.2026 four weeks time was granted to comply with the order but this order itself has been passed beyond the said period. In any case, the order passed in the writ petition was for granting benefit of regularization with consequential benefits. It was not only for passing order of regularization. Admittedly, as of now, only order of regularization has been passed and no consequential benefits have been extended to the petitioner.

05. Learned counsel for the respondents has submitted that since the order has been complied with in part, some further time deserves to be granted for full compliance. However, since in the order dated 06.02.2026, it had been directed that if by the next date of hearing, the order is not complied with, then the respondents will automatically without any further orders be



held guilty of committing contempt of the order passed by this Court, prayer made by the respondents cannot be accepted.

06. The petition has been listed for the 22nd time and still the order has not been complied with. As per the peremptory order dated 06.02.2026, the respondents are held liable and guilty of committing contempt of the order passed by this Court. After hearing the learned counsel for the respondents on the question of sentence, the respondents are sentenced to simple imprisonment for a period of two months. This order shall however be kept in abeyance for a period of three weeks.

07. With the aforesaid directions, the petitions stand disposed off.

08. Let a signed copy of the order be kept in the record of all connected petitions.

(PRANAY VERMA)
JUDGE

Shilpa