

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8435 of 2019

Applicant :- Sushil Chandra

Opposite Party :- Sri Devesh Chaturvadi, The Principal Secretary And Another

Counsel for Applicant :- Rajesh Singh

Counsel for Opposite Party :- Arvind Kumar Goswami

Hon'ble Rohit Ranjan Agarwal,J.

List revised. No one is present on behalf of applicant to press the application. Sri Arvind Kumar Goswami, learned counsel for the opposite party is present.

The writ Court on 13.12.2018 while disposing of Writ-A No. 26365 of 2018 had passed the following order:-

"Learned counsel for parties are ad idem that the issues raised in this petition shall stand governed by the order of disposal passed in Writ A- No. 2835 of 2017. The said writ petition was disposed of in the following terms:

"The petitioner is seeking a direction to the respondents to transfer him from the State of U.P to the State of Uttarakhand in pursuance of the Government Order dated 24.8.2016 and the guidelines issued by the Central Government in accordance with the additional provisions of U.P. Reorganization Act, 2000.

In respect of his claim, the petitioner is stated to have preferred a representation before the Chief Medical Officer, Rampur which has been forwarded to the Director General, Medical and Health Services, Lucknow on 26.5.2015, copy of which has been filed as Annexure-4 to the writ petition but it is stated that no order has been passed thereon.

No useful purpose would be served in keeping the petition pending.

This writ petition is therefore disposed of with the consent of learned counsel for the parties with a direction to the respondents no.1-Principal Secretary, Health and Welfare, U.P. Lucknow and 2-Director (SR), Department of Personnel & Training, Government of India, New Delhi to take a decision with regard to the claim of the petitioner in accordance with law within a period of four months from the date of receipt of a certified copy of this order in his office.

It is made clear that the Court has not adjudicated the claim of the petitioner on merits."

This petition shall also stand disposed of in the above terms"

From perusal of the order, it is clear that the writ Court had required the opposite party to decide the representation of the applicant. In para no. 6 of compliance affidavit, it has been stated that order of writ Court has been complied with and representation has been decided on 17.02.2020.

In view of said fact, as the order of writ Court has been complied with, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

Order Date :- 16.11.2023

V.S.Singh