

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2575 of 2023

Applicant :- Rahul Pal

Opposite Party :- K. Ram (Kanhaiya Ram), Director, Technical Education, U.P., Lko.

Counsel for Applicant :- Kaushal Tiwari, Divesh Sinha

Hon'ble Rajesh Singh Chauhan, J.

1. Heard learned counsel for the petitioner and Sri Amrendra Pratap Singh, learned Standing Counsel.

2. Attention has been drawn towards the order of the writ court dated 25.05.2023 passed in Writ-C No.3976 of 2023, which reads as under:-

"Heard learned counsel for petitioner and learned standing counsel for State.

Present writ petition is filed by the petitioner for the following primary reliefs:-

"(i) Issue a writ, order or direction in the nature of Mandamus thereby commanding and directing the opposite parties to correct the name of petitioner's father namely Prabal Kumar Pal and name of petitioner's mother namely Gopali Pal in place of Brahmanand Verma and Sumitra Devi respectively in the mark sheets and certificate as well as all records of the petitioner and issue new mark sheets and certificates with corrected name of the petitioner's father and mother in the interest of justice."

Learned counsel for petitioner submits that grievance of petitioner would be sufficiently met in case representation of petitioner for the said purposes is considered and decided in a time bound manner.

Learned standing counsel submits that respondents will have to inquire into the matter as to whether claim made by the petitioner is bona fide or not.

In view thereof, petitioner is permitted to make a fresh detailed representation to respondent no.3 Director, Technical Education, U.P. Lucknow, raising all his grievance, annexing therewith a copy of this writ petition along with annexures and all the documents in support of his claim within a period of ten days from today along with a certified copy of this order.

In case such a representation is moved by petitioner, respondent no.3 shall consider and decide the same in accordance with law, after required inquiry at their level, by a reasoned and speaking order within a period of

two months from the date a certified copy of this order along with representation is placed before him.

It is made clear that this court has not applied itself on the merits of the case and all questions are left open to be considered and decided by the competent authority in accordance with law.

With the aforesaid directions, the writ petition is disposed of."

3. In compliance of the aforesaid order, the Board of Technical Education, U.P. has issued a fresh mark-sheet correcting the name of the father of the petitioner. Learned Standing Counsel has provided copy of instructions letter dated 19.09.2023 preferred by the Director, Technical Education, U.P., Kanpur addressing to the Chief Standing Counsel of this Court wherein it has been categorically stated that in compliance of the order of the writ court, name of the father of the petitioner has rightly been indicated in the documents. Copy of the aforesaid letter dated 19.09.2023 has been provided to the learned counsel for the petitioner and the same is also taken on record.

4. Learned counsel for the petitioner has submitted that name of the father of the petitioner has been corrected but name of the mother of the petitioner has not been corrected. On that, Sri Amrendra Pratap Singh has stated that in the mark sheet, there is only column of the name of the father, which has been corrected.

5. In the wake of aforesaid development, nothing remains to be adjudicated in the present contempt petition.

6. Accordingly, the present contempt petition is **dismissed**.

7. Notice, if any, stands discharged.

[Rajesh Singh Chauhan,J.]

Order Date :- 3.11.2023

RBS/-