

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3144 of 2023

Applicant :- Sudeep Shukla And 66 Others

Opposite Party :- Partha Sarthi Sensharma Prin. Secy. Deptt. Of Medical Health And Family Welfare Lko.

Counsel for Applicant :- Alok Mishra

Hon'ble Rajesh Singh Chauhan,J.

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

2. Learned Standing Counsel has stated that the opposite party has filed affidavit of compliance on 28.10.2023 enclosing therewith the copy of the order dated 27.9.2023 passed by the Principal Secretary, Department of Medical Health & Family Welfare, U.P. whereby the representation of the petitioner has been rejected. Sri Alok Mishra, learned counsel for the petitioner has further stated that in the aforesaid order the direction of the writ court has not been complied with whereby the writ court has directed to decide the representation in the light of the judgment in re: **Writ Petition No. 190 (S/S) of 2013 (Seema Singh and others vs. State of U.P. & others)**.

3. Sri Mishra has further informed that the aforesaid order dated 27.9.2023 has been assailed by the petitioner by filing Writ Petition No. 8621 of 2023 which has been allowed on 6.11.2023 and the impugned order dated 27.9.2023 has been quashed directing the opposite parties to revisit the matter and decide the grievance of the petitioner within a period of six weeks.

4. Be that as it may, in the present contempt petition in compliance of the order of the writ court the order dated 27.9.2023 has been passed, therefore, for all practical purposes this contempt petition has lost its efficacy as nothing remains to be adjudicated in the present contempt petition.

5. Accordingly, the contempt petition is **dismissed**.

6. Notices discharged.

7. However, it is needless to say that when the order dated 27.9.2023 passed by the Principal Secretary, Medical Health & Family Welfare, U.P. has been quashed / set aside by this Court

in the subsequent writ petition granting six weeks time to revisit on the issue, the petitioner may provide the certified copy of the aforesaid order to the competent authority, so that the authority could revisit on the issue and if the compliance of the subsequent order dated 6.11.2023 is not done in its letter and spirit, it is always open for the petitioner to file another contempt petition.

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[Rajesh Singh Chauhan, J.]

Order Date :- 16.11.2023

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