

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3950 of 2023

Applicant :- Virendra Kumar Srivastava

Opposite Party :- Dr. R.K.Dhiman, Director, Sanjay Gandhi P.G. Institute Of Medical Sciences, Lko. And Another

Counsel for Applicant :- Ashish Kumar Pathak

Hon'ble Rajesh Singh Chauhan,J.

1. Heard Dr. Ashish Kumar Pathak, learned counsel for the petitioner and Sri Sanjay Bhasin, learned Senior Advocate, assisted by Sri Shubham Tripathi, learned counsel for opposite party no.2.

2. Sri Shubham Tripathi has filed affidavit of compliance, the same is taken on record.

3. Precisely, attention has been drawn towards paras 17 to 19 of the affidavit of compliance wherein it has been indicated that the order of the writ court has been complied with in its letter and spirit so far as the present petitioner is concerned. Further attention has been drawn towards copy of minutes of meeting held on 29.11.2023 (Annexure No.CA-11 of the affidavit of compliance) showing running page 66 thereof, drawing attention towards para-2 of such meeting showing that it has been categorically indicated that in the case of the petitioner, all benefits have been paid to him from the Finance Department.

4. Dr. Ashish Kumar Pathak has, however, stated that he has received the affidavit of compliance today itself, therefore, he will have to seek some instructions from the petitioner.

5. Be that as it may, after perusing paras 17 to 19 of the affidavit of compliance and Annexure No.CA-11 of the affidavit of compliance (supra) wherein it has been indicated that the order of the writ court has been complied with in the case of the petitioner in its letter and spirit, I find no purpose to keep this contempt petition pending any longer.

6. In view of the above, the present contempt petition is **dismissed**.

7. Notices are discharged.

8. However, it is open for the petitioner to file an application for revival of the contempt petition if the petitioner or his counsel finds that the order of the writ court has not been complied with in its letter and spirit and if such application is filed and it is found that the order of the writ court has not been complied with in its letter and spirit in the case of the petitioner, any appropriate order may be passed on such application.

9. It is also open for the petitioner to assail Annexure No.CA No.11 of the affidavit of compliance i.e. minutes of meeting held on 29.11.2023, if he is aggrieved from that decision and other orders passed in the case of the petitioner.

[Rajesh Singh Chauhan,J.]

Order Date :- 18.12.2023

RBS/-