

GAHC040000492015



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : Cont.Cas(C)/30/2015

RANVIR KUMAR
S/O RAMANAND RAI, RESIDENT OF VILLAGE JETHULI, PO.
KACHCHDARGAH, P.S. FATUHA, PATNA, BIHAR, MOBILE NO. 09954246251

VERSUS

1: DR. RACHOB TABA AND 4 ORS. REGISTRAR, RAJIV GANDHI
UNIVERSITY RONO HILLS, DOIMUKH, PO/PS DOIMUKH, DIST. PAPUM
PARE, A P

2: PROF. TAMO MIBANG, VICE CHANCELLOR RAJIV GANDHI UNIVERSITY
RONO HILLS DOIMUKH DIST. PAPUM PARE AP

3: Prof. Tomo Riba Age: 0 Occupation : Registrar Rajiv Gandhi University (RGU)
Rono Hills Doimukh PO/PS Doimukh District Papum Pare Arunachal Pradesh

4: Prof. Saket Kushwaha, Vice Chancellor Rajiv Gandhi University (RGU) Rono
Hills Doimukh PO/PS Doimukh District Papum Pare Arunachal Pradesh.

5: Dr. N. T. Rikam, Registrar Rajiv Gandhi University Rono Hills Doimukh District
Papumpare Arunachal Pradesh

Advocate for the Petitioner : Mr T Tagum

Advocate for the Respondent : Mr.T. Gadi

**BEFORE
HONBLE MR. JUSTICE S.K.MEDHI**

ORDER

Date : 30-01-2024

Heard Shri T. Tagum, the learned counsel for the petitioner, who has filed this contempt petition alleging that non-compliance of the Judgment and Order dated 28.04.2015, passed by this Court in WP(C) No.187 (AP)/2012.

2. The operative portion of the aforesaid judgment is extracted herein below;

“19. In view of the circumstances, the respondent authorities are directed to declare the result of the interview held on 12.02.2010 and if the petitioner is found to be successful in the said interview, his case may be considered against the 3% reservation quota for person with disability candidate along with similarly situated persons appeared in the said interview. Since, there is nothing on record to show that the interview dated 12.02.2010 was cancelled and there is no reversal affidavit filed by the respondents that no appointment has been made against the said advertisement dated 21.07.2009.”

It is submitted that in spite of the clear direction, the same was not complied with.

3. On the other hand Mr. T. Gadi, the learned Standing Counsel for the Rajiv Gandhi University appearing for respondents No.1 and 2 has submitted that the order has been complied with and in this

regard, he has referred to the affidavit-in-opposition filed on 31.05.2016 by the said respondents No.1 and 2.

4. By drawing the attention of this Court to the Annexure-2 series of the said affidavit-in-opposition, the learned Standing Counsel has submitted that the Selection Committee after due deliberation has found that under the OBC category, no one was found suitable.

5. Shri T. Tagum, the learned counsel for the petitioner however, submits that aforesaid communication lacks *bonafide* and the same has been done only to deprive the petitioner.

6. The concern of this Court in examining a petition alleging contempt is to see as to whether the order passed by this Court appears to have been complied with. The correctness of such compliance may not be a part of such adjudication process which however, can be raised in an appropriate petition.

7. In view of the above, the instant contempt petition is closed, however, with a liberty to the petitioner to challenge the correctness of the order passed by the authority.

JUDGE

Comparing Assistant