

GAHC010158722023



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

Case No. : Cont.Cas(C)/437/2023

MUKESH CHANDRA
S/O BABU RAM, VILL- PURA JANVED, P.O.-KUKTHARI, P.S.-PANIHAT, DIST-
AGRA, UTTAR PRADESH, PIN-283123

VERSUS

LT GEN. PRADEEP CHANDRAN NAIR AND ANR
THE DIRECTOR GENERAL OF ASSAM RIFLES, SHILLONG, MEGHALAYA-
793013

2:K. S. THAKUR
THE DEPUTY COMMANDANT/ MAJOR SO-1 (RECRUITMENT)
ASSAM RIFLES
SHILLONG
MEGHALAYA-79301

Advocate for the Petitioner : MR B SINHA, MR. M HUSSAIN

Advocate for the Respondent : MR. K K PARASAR (r-1),

BEFORE
HONOURABLE MR. JUSTICE KAUSHIK GOSWAMI

ORDER

Date : 01.10.2024

None appears for the petitioner when the matter is called.

Heard Mr. K. K. Parasar, learned counsel for the respondents.

By filing this contempt petition, the petitioner has drawn the attention of this Court to the alleged willful violation and disobedience of the order dated 16.11.2022 passed by this Hon'ble Court in WP(C) No.52/2019.

Pursuant to the issuance of notice in the present contempt proceedings, the respondents have entered appearance and have filed affidavit on 21.12.2023.

Mr. K. K. Parasar, learned counsel for the respondents submits that the said order of the court has been duly complied by hearing the petitioner and passing a speaking order thereof.

I have heard the learned counsel for the respondent and perused the material available on record.

By order dated 16.11.2023, this Court in WP(C) No. 52/2019 directed passing of a reasoned order after issuing notice to the petitioner in connection to his claim for relaxation as regards his height in order to allow him to participate in the written examination pertaining to the selection process of Constable in Assam Rifles.

Paragraph 6 of the affidavit-in-opposition filed by the respondent no. 1 on 21.12.2023 indicates that after issuing notice to the petitioner by letter dated 14.12.2022 and upon considering his reply letter dated 10.03.2023, the authorities passed a speaking order dated 29.03.2023, whereby the prayer for relaxation was rejected.

Paragraph 6 of the affidavit-in-opposition is reproduced hereunder for ready reference:-

“6. That the statement made in paragraph 4 of the contempt petition are incorrect as well as misleading to the facts, hence denied by the answering respondent. The answering respondent further begs to state that the respondent authority acted as per Hon'ble court's order dated 16.11.2022 and served notice to the petitioner vide letter dated 14.12.2022. Subsequently, the petitioner vide his letter dated 10.3.2023 forwarded his reply and same was found unsatisfactory. Accordingly same was communicated to the petitioner vide letter dated 29.3.2023. As such, the respondent authority fully complied with the Hon'ble Court's order dated 16.11.2022. Hence, the present contempt case is required to be rejected being infructuous.”

In view of the above, apparent that order of this Court has been complied. Hence, nothing survives for adjudication in the contempt petition.

Accordingly, the contempt petition stands closed.

Disposed of.

JUDGE

Comparing Assistant