

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

COC-2743-2015

Date of decision : 01.12.2015

Shivdeep Attri

..... Petitioner

Vs

Dr. Raj Bahadur & Anr.

..... Respondents

Coram : Hon'ble Mr. Justice Rakesh Kumar Jain

Present: Mr. Sameer Sachdeva, Advocate
for the petitioner.

Mr. Nitin Kaushal, Advocate
for respondent No.1.

Mr. B.B.S. Sobti, Advocate
for respondent No.2.

Rakesh Kumar Jain, J. (oral)

This petition is filed to initiate contempt proceedings against the respondents for violating the directions issued by this Court vide orders dated 1.10.2015 (Annexure P-6) and 13.10.2015 (Annexure P-7).

In short, the petitioner had filed CWP No. 21076 of 2015 in which notice of motion was issued on 1.10.2015 for 8.10.2015 and in the meantime, he was allowed to continue with the course. However, the protection was given provisionally with a rider that it would not create any right of equity in favour of the petitioner and would be subject to final decision of the writ petition.

On 13.10.2015, another order was passed by this Court, continuing the interim order and also holding the

petitioner entitled to admission in the hostel on deposit of necessary fee.

Counsel for the petitioner has argued that neither the petitioner has been allowed to continue with the course nor admission in the hostel. Consequently, the present petition has been filed.

After notice, the respondents have filed reply.

Mr. Sobti, learned counsel has produced the complete attendance of the petitioner from 8.10.2015 to 30.11.2015, virtually signed by him, therefore, it cannot be said that he was not allowed to continue with the course.

Similarly, as per the reply filed by respondent No.2, the petitioner has been given the guest room of the college in the complex of Under Graduate Boys Hostel of Dayanand Medical College & Hospital, Ludhiana, as no room is available for allotment in the hostel.

After hearing learned counsel for the parties and considering the facts and circumstances of the case, I am of the considered opinion that the respondents have not willfully disobeyed the orders passed by this Court rather the petitioner has been permitted to continue with the course, they had been marking his attendance on a separate sheet and also the petitioner has been given air conditioned room with attached toilet, which is being used as guest room, as an interim measure, because no room is available in the hostel.

In view thereof, I do not find any merit in the present petition and the same is hereby dismissed.

Rule is discharged.

(RAKESH KUMAR JAIN)

JUDGE

01.12.2015

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