

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**CONT No. 616 of 2017**

Dr. Medini Prasad Patel S/o Chhabil Patel Aged About 63 Years Aaurved Chikitsa Adhikari, Government Aaurved Aavsadhalaya Jainagar District Surajpur Chhattisgarh.

**---- Petitioner**

**Versus**

1. Subrat Sahu Secretary Health And Family Welfare Department , Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
2. M L Tamrakar, Upper Secretary , Health And Family Welfare Department Mahanadi Bhawan Naya Raipur District Raipur Chhattisgarh.
3. Dr. G S Badesa, Director Ayurveda Yoga And Naturopathy, Greek Siddha And Homeopathy ( A Y U S H ) Chhattisgarh Indravati Bhawan Naya Raipur District Raipur Chhattisgarh.
4. Dr. R K Devedi District Aaurved Chikitsa Adhikari, Surguja At Ambikpur Chhattisgarh.
5. K D Mishra Incharge District Aaurved Chikitsa Adhikari, Surguja At Ambikpur Chhattisgarh.

**---- Respondents**

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For Petitioner : Mr. A.K. Prasad, Advocate

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**Hon'ble Shri Justice Manindra Mohan Shrivastava**

**Order On Board**

**13.10.2017**

Heard.

1. This contempt petition has been filed alleging willful disobedience of order dated 29.08.2017 passed by this Court in WPS No.4106 of 2017.
2. Learned counsel for the petitioner submits that till date, representation of the petitioner has not been decided.
3. On the other hand, it is submitted that the District Aaurved Officer is

compelling the petitioner to proceed on transfer failing which disciplinary action would be taken.

4. When the Court directs consideration of representation within certain period and protecting against coercive action during that period, the decision is required to be taken. If for any justifiable reason, decision has not been taken, coercive action cannot be initiated. It is directed that if the petitioner's representation has not been decided, till it is decided, no coercive action shall be taken against the petitioner to relieve him. Any authority who overreach the Court's Order by compelling the petitioner to relieve without decision of representation as directed earlier, appropriate proceeding shall be drawn.
5. The contempt petition is disposed off.
6. A copy of this order shall be placed before the District Aarved Officer, Ambikapur.

**Sd/-**  
**(Manindra Mohan Shrivastava)**  
**Judge**