

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**CONT No. 543 of 2018**

- Mohsine Milalat Unani Tibb Education Society Baijnathpara, Raipur, Chhattisgarh, Through Shamsuddin, S/o Mohammad Yaqub, Aged About 45 Years. Secretary Mohsine Millat Unani- Tibb Education Society, Baijnathpara, Raipur District- Raipur, Chhattisgarh.

---- **Petitioner****Versus**

- Smt. Niharika Barik Secretary, Department of Health And Family Welfare State Of Chhattisgarh. Secretariat, Raipur, Chhattisgarh.

---- **Respondent**

For Petitioner : Shri Akash Kumar Kundu, Advocate.
For Respondent : Shri Animesh Tiwari, Advocate.

Hon'ble Shri P. R. Ramachandra Menon, Chief Justice
Hon'ble Shri Justice Parth Prateem Sahu, Judge

Judgment on Board**P. R. Ramachandra Menon, Chief Justice****09.12.2019**

1. Non compliance of the direction given by this Court as per Annexure C/1 judgment dated 02.02.2018 is the subject matter for consideration in this contempt of Court proceeding.
2. When the matter came up for consideration before this Court on 05.12.2019, it was submitted by the learned counsel who entered appearance for the Respondent that the direction had already been complied with by issuing an order way back on 06.09.2018 and that the position was communicated to the Petitioner. A copy of the said order has been produced alongwith covering memo dated 06.12.2019.
3. The learned counsel for Petitioner submits that the above order was never served to the Petitioner.

4. We are of the view that the correctness or otherwise of the said order cannot be considered in this proceeding. So far as the direction given by this Court as per Annexure C/1 order stands complied with by passing the order dated 06.09.2018. If the same stands detrimental to the rights and interest of the Petitioner, it is always open for him to have it subjected to challenge.
5. Without prejudice to rights and liberties as above, the Contempt matter stand closed.

Sd/-

(P. R. Ramachandra Menon)
Chief Justice

Sd/-

(Parth Prateem Sahu)
Judge