

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Contempt Case (Civil) No. 539 of 2018**

Dr. Aditya Sinha S/o Shri Kanhaiya Lal Sinha, Aged about 31 years, R/o village Jodhapur, District Dhamtari, Chhattisgarh.

---- Petitioner

Versus

Dr. Ashok Chandrakar, Director of Medical Education, Raipur, Old Nurses Hostel, DKS Bhawan Parisar, Raipur, Chhattisgarh.

---- Respondent

For Petitioner	: Shri Devesh G. Kela, Advocate.
For Respondent	: Shri Prafull N Bharat, Advocate.

Hon'ble Shri P.R. Ramachandra Menon, Chief Justice
Hon'ble Shri Sharad Kumar Gupta, Judge

Order on Board**Per P.R. Ramachandra Menon, Chief Justice****15/05/2019**

1. The alleged non-compliance with the direction given in the judgment dated 04.05.2018 passed by this Court in Writ Petition (C) No. 1040 of 2018 (common judgment alongwith connected cases) made the Petitioner to approach this Court alleging contemptuous act on the part of the Respondent who is the Director, Medical Education, Raipur.
2. Heard the learned counsel for the Petitioner as well as the learned counsel appearing on behalf of the Respondent/Contemnor.
3. The learned counsel for the Respondent/Contemnor submits that the averments and allegations raised by the Petitioner are not at all correct. It is stated that the judgment has already been implemented and there is no fault or lapse on the part of the Respondent.
4. The operative portion of the judgment as contained in the last paragraph reads as follows:

"11. In the result:

(i) It is declared and directed that the admission to the State quota for Post Graduate Medical Education in the State of Chhattisgarh for the year 2018 shall be in conformity with the Chhattisgarh Medical Post Graduate Entrance Rules, 2017 including as regards the exclusion of the students who had obtained MBBS degrees from outside the State of Chhattisgarh. With such modification, the interim order dated 13.04.2018, as quoted above, is affirmed.

(ii) Writ Petition (C) No. 1040 of 2018 is ordered directing that any representation of the Petitioner therein will be considered by the Directorate of Medical Education in accordance with law in the light of what is stated in paragraph 10 above.

(iii) These writ petitions are ordered as above."

5. The learned counsel for the Respondent asserts that the admission for the Post Graduate Medical Education in the State of Chhattisgarh for the year 2018 in respect of the State Quota has been done in conformity with the *Chhattisgarh Medical Post Graduate Entrance Rules, 2017*. It is also added that the second direction to have the representation of the Petitioner considered has been acted upon and on finding that there was no merit in the representation, it was rejected as per the order dated 20.09.2019.
6. By virtue of the course of events, we are of the view that no contemptuous act on the part of the Respondent is made out.
7. Learned counsel for the Petitioner seeks liberty of this Court to withdraw this petition without prejudice to the rights and liberties to pursue other remedies in accordance with law.
8. It is ordered accordingly. The contempt petition stands dismissed.

Sd/-
(P.R. Ramachandra Menon)
CHIEF JUSTICE

Sd/-
(Sharad Kumar Gupta)
JUDGE