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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS(C) 3/2025 & CM APPL. 93/2025**
GAJRAG BAIRAWAPetitioner

Through: Mr. Abhay Bhargava, Advocate.
versus

SHRI GOVIND MOHAN SECRETARY & ORS.

.....Respondent

Through: Mr. Neeraj, SPC with Mr. Vedansh
Anand, GP and Mr. Sachin Saraswat,
Advocates.
SI Prahlad with SI Amit Kumar.

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

07.01.2025

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1. Petitioner seeks initiation of contempt proceedings against respondent for wilful disobedience of the specific directions passed by learned Division Bench of this Court on 22.11.2024 in W.P.(C) No. 16221/2024.
2. By virtue of the above said order, the disciplinary Authority was directed to consider the contents of the above said writ petition, including the judgments with had been annexed therewith, and to take a final decision on the enquiry conducted against the petitioner.
3. Learned counsel for petitioner submits that decision was though taken by the respondents on 09.12.2024, fact remains that the contentions made in the writ petition and the judgments relied upon in the above said writ petition were not considered and therefore, there is a wilful disobedience.
4. However, learned counsel for the petitioner, at the same time, apprises this Court about a subsequent development. He submits that the above said

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order dated 09.12.2024 was withdrawn by the respondents on 02.01.2025 and thereafter a fresh order has been passed on 04.01.2025 whereby they have, again, compulsorily retired the petitioner. He submits that a very cursory reference has been made to the contentions made in the writ petition as well as the judgments and this has been done, merely, in order to show that there is due compliance of the above said directions.

5. Be that as it may, learned counsel for petitioner, in all fairness, submits that since the respondents have already passed a subsequent order on 04.01.2025, at the moment, he does not press the present contempt petition. He, however, seeks liberty to challenge the above said order dated 04.01.2025 by filing a substantive petition.

6. A copy of such subsequent order dated 04.01.2025 has been shown by respondent during the course of the proceedings. It be made the part of the e-file.

7. Mr. Anand, learned counsel for the respondent appears on advance notice.

8. In view of the above, the present petition is disposed of as not pressed.

9. Liberty, as prayed by the petitioner, is granted.

10. All rights and contentions of the parties are reserved.

MANOJ JAIN, J

JANUARY 7, 2025/sw