

Conc. No. 1392/2010

(R.K. Tiwari Vs. Shri Radheshyam Julania and others)

30.09.2013

Shri A. Gulatee,, learned counsel for the petitioner.

Shri Ashish Patel, learned counsel for the respondents.

The petitioner has filed this petition alleging non-compliance of the order passed by this court in W.P. No. 11436/08(S) disposed of on 13.07.2010 by issuing direction to the respondents/authorities.

The respondents have filed a return along with Annexure R/1 dated 29.04.2011 by which they have withdrawn the relief granted to the respondent no. 4 in the writ petition and on that ground, have also denied grant of relief to the petitioner.

The learned counsel for the petitioner submits that by order Annexure R/1 dated 29.04.2011, the respondents while withdrawing the regularization granted to the respondent no. 4 w.e.f. 22.07.1987, have now granted the relief from the year 2002. It is submitted that the petitioner is also entitled to the same relief.

Having heard the learned counsel for the parties, it is observed that the issue raised by the petitioner which has arisen subsequent to the order passed by this court, is not the subject matter of the order passed

by this court. Accordingly, the contempt petition filed by the petitioner is disposed of with liberty to the petitioner to either approach the respondents/authorities for similar relief or to take up further proceedings against the order Annexure R/1 passed by the respondents, in accordance with law.

With the aforesaid liberty, the contempt petition stands disposed of.

C.C. as per rules.

(R.S. Jha)
Judge

msh