

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Writ Contempt No. 1377/2017

Dr. Murlidhar Paliwal S/o Shri Asha Ram Ji Paliwal, Aged about 64 years, (Retired Sr. Medical Officer) Resident of Plot No.243, Shiv Mandir, Ratanada, Opposite Jatun-Ka-Nohara, Jodhpur Rajasthan.

----Petitioner

Versus

1. Smt. Veenu Gupta, Principal Secretary, Medical and Health Department, Government of Rajasthan, Jaipur.
2. Shri Paras Chand Jain, Dy. Secretary, Medical and Health (Gr.II) Department, Government of Rajasthan, Jaipur.
3. Dr. V.K. Mathur, Director, Medical and Health Services, Swasthya Bhawan, Tilak Marg, Jaipur.

----Respondents

For Petitioner(s)	:	Mr. Dharmpal Singh Dhaka.
For Respondent(s)	:	Mr. N.S. Rajpurohit, AAG assisted by Mr. Sher Singh.

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR

Order

14/07/2025

1. Heard learned counsel for the parties.
2. The present contempt petition has been filed alleging non-compliance of the order passed by this Court on 06.01.2017.
3. Learned counsel for the petitioner submits that the petitioner was entitled for promotion in the year 1995-96 and the respondents have granted him promotion in the year 1996-97 only. He, therefore, prays that appropriate action under the Contempt of Courts Act may be taken against the respondents for willfully disobeying the order passed by this Court.

4. *Per contra*, Mr. N.S. Rajpurohit, learned Additional Advocate General submits that in compliance of the order passed by this Court on 06.01.2017, the respondents have issued an order dated 12.12.2024. He further submits that the respondents have convened the review DPC for promotion for the year 1995-96 and have considered the case of the petitioner for promotion to the post of Senior Medical Officer. Learned AAG further submits that since nobody junior to the petitioner has been considered and granted promotion for the year 1995-96, therefore, the order passed by this Court has been complied with.

5. I have considered the submissions made at the Bar and have gone through the relevant record of the case.

6. The direction issued by this Court was only to convene a review DPC and consider the case of the petitioner for promotion against the vacancies for the year 1995-96. The respondents have convened the review DPC and have considered the case of the petitioner for promotional year 1995-96. The respondents have passed the order dated 12.12.2024, wherein, it has been mentioned that the petitioner was placed at Serial No.242 and only the persons up to Serial No.168 were found eligible for promotion for the year 1995-96, therefore, the petitioner could not be promoted in that year. However, the petitioner has been given promotion against the vacancies for the year 1996-97 as per his seniority position.

7. In view of the discussion made above, there is no willful disobedience of the order passed by this Court. This Court does not consider it a fit case for proceeding further against the

respondents under the Contempt of Courts Act. The contempt petition, therefore, is dismissed. Notices are discharged.

8. However, the petitioner is granted liberty to assail the validity of the order dated 12.12.2024, if he felt so advised.

(VINIT KUMAR MATHUR),J

133-Shahenshah/-