

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

D.B. Civil Special Appeal (Writ) No. 1311/2022

The State Of Rajasthan & Others

----Appellants

Versus

Dr. Nishant Gopaal S/o Shri Ajai Gopal & Others

----Respondents

Connected With

1. D.B. Special Appeal Writ No. 1318/2022
2. D.B. Special Appeal Writ No. 1319/2022
3. D.B. Special Appeal Writ No. 1320/2022
4. D.B. Special Appeal Writ No. 1321/2022
5. D.B. Special Appeal Writ No. 1330/2022

For Appellant(s)	:	Mr. Darsh Pareek, Advocate
For Respondent(s)	:	Mr. Kushagra Sharma, Advocate Ms. Purvi Mathur, Advocate Mr. Munesh Bhardwaj, Advocate

HON'BLE THE ACTING CHIEF JUSTICE MR. MANINDRA MOHAN SHRIVASTAVA
HON'BLE MR. JUSTICE ANIL KUMAR UPMAN

Order

23/05/2023

Heard on Second Stay Application No. 7250/2023 in D.B. Civil Special Appeal (Writ) No. 1311/2022 filed by private respondents/writ petitioners for issuance of appropriate direction.

Learned counsel for the respondents/writ petitioners would submit that even though this Court while passing order on 09.12.2022, has stayed only a part of the order passed by learned Single Judge, the other part of the order has not been stayed in the matter of denovo conselling, the State-appellant is not conducting counselling and admission process strictly in

accordance with the directions of the learned Single Judge even though that has not been stayed.

Learned Additional Advocate General would submit that the counselling which is being conducted is in accordance with the order passed by the learned Single Judge and the allegation of not holding counselling in accordance with the direction already issued is not correct.

At this stage, in this appeal, we are not inclined to pass further orders on the application, however, if it is the case of the respondents that the counselling is in violation of the directions issued by the learned Single Judge (which has not been stayed by this Court in appeal), the remedy lies in filing contempt petition.

Second Stay Application No. 7250/2023 is, accordingly, disposed off.

(ANIL KUMAR UPMAN),J

(MANINDRA MOHAN SHRIVASTAVA),ACTING CJ