

¢

SLP(C)No. 4332 OF 2005

ITEM No.37

Court No. 10

SECTION XI

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No.4332/2005.

(From the judgement and order dated 05/11/2004 in Contempt Appeal
No.11/04 in Contempt Petition No.820/02 of The HIGH COURT OF
JUDICATURE AT ALLAHABAD)

INDIAN RURAL MEDICAL ASSOCIATION

Petitioner (s)

VERSUS

RAJESH KUMAR SRIVASTAVA & ORS.

Respondent (s)

(With prayer for interim relief)

Date : 07/03/2005 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ARIJIT PASAYAT
HON'BLE MR. JUSTICE S.H. KAPADIA

For Petitioner (s)Mr. G.L. Sanghi, Sr. Adv.

Mr. Ranjan Mukherjee,Adv.

Mr. Samrat Mukherjee, Adv.

For Respondent (s)

UPON hearing counsel the Court made the following

O R D E R

Mr. G.L. Sanghi, learned senior counsel states that the Petitioner-Association has not, in essence, questioned the policy decision of the Government regarding transfers. Its only grievance was that there should be some parameters fixed and prescriptions made regarding registrations with the Chief Medical Officers. It is stated that the High Court, by its order dated 28th January 2004, did not lay down any specific norms or criteria
S.L.P.(C)No.4332/05....contd.

- 2 -

for the purpose. Though the contempt petition may not have been the appropriate remedy, yet, the Petitioner should not be left remedy-less and it should be open to the Petitioner to avail appropriate proceedings. It is open to the Petitioner to avail such remedies as are available to it in law.

We make it clear that observations, if any, made in the judgment by the learned Single Judge shall be of no consequence in the proceedings, if any, taken in the matter of laying down norms and criteria for registration.

This Petition is disposed of in the aforesaid terms.

(Subhash Chander)
Court Master

(Vijay Aggarwal)
Court Master