

SL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
	<u>22.08.2023</u>		CLCON No 238 of 2023 <u>Hon'ble Sharad Kumar Sharma, J.</u> Ms. Bina Pande, petitioner in-person. Mr. I.D. Paliwal, Standing Counsel, for the State of U.P. This contempt petition was preferred by the petitioner, who appears in-person, for seeking compliance of the judgment dated 21.03.2023, as it was rendered by the Division Bench of this Court in Writ Petition (S/B) No. 634 of 2022, by virtue of which the Court has directed that whatever fee was payable to the petitioner who was initially appearing as a counsel for the State of Uttar Pradesh, as remitted by the respondent to the tune of Rs. 13,85,600/- would be inclusive of the interest payable @ 8% due from the date when the same became due till payment. When the same was not complied with, the present Contempt Petition was filed and was taken up yesterday. This Court took cognizance on it and called upon the learned counsel for the State of U.P. to ensure payment of 8% interest to the petitioner as directed by the aforesaid judgment of the Division Bench, failing which the respondent would appear in-person. Today, when the contempt petition was taken up, the learned counsel, appearing for the State of Uttar Pradesh, has presented before this Court an Office Memorandum No. जी-292 / सात-न्याय-8 (लेखा) / 2023 / 01 एच0सी0-2022 dated 21.08.2023, wherein His Highness the Governor of State of Uttar Pradesh has already granted an approval for payment of interest to the

		petitioner, as per the provisions contained under the Financial Handbook and the amount as assessed to be paid towards the interest, has been calculated to be Rs. 4,91,187/-. The relevant observations made in the said communication dated 21.08.2023 is extracted hereunder:- “3- मा0 उच्च न्यायालय, उत्तराखण्ड के उक्त आदेश दिनांक 21.8.2023 के क्रम में श्रीमती बीना पाण्डेय, पूर्व स्थायी अधिवक्ता के कालातीत फीस बिल को 8 प्रतिशत वार्षिक ब्याज की दर से माह दिसम्बर 2009 से अप्रैल 2010 तक की अवधि का आगणित ब्याज रू0 77225.23. जनवरी 2016 से दिसम्बर 2016 तक की अवधि का आगणित ब्याज रू0 17976933 जनवरी 2017 से दिसम्बर 2017 तक की अवधि का आगणित ब्याज रू0 234192.00, जिसका शुद्ध देय ब्याज धनराशि रू0 491187-00 (चार लाख इक्क्यानवे हजार एक सौ सतासी रू० मात्र) का भुगतान किये जाने हेतु वित्तीय हस्तपुस्तिका के खण्ड-5 भाग-1 के नियम-74 के अनुसार पूर्व- सम्परीक्षण के प्रस्ताव के अनुमोदन के उपरान्त श्री राज्यपाल महोदय उक्त देयकों के भुगतान किये जाने की सहर्ष स्वीकृति प्रदान करते हैं।” However, the petitioner records her dissatisfaction about the amount of interest calculated on the amount due to be paid to her. The said subject would not be within the scope of contempt petition. She would be open to put a challenge to the order of remittance of the interest amount, if she is not satisfied with the same by invoking an appropriate proceeding. However, in pursuance to the observations made in para 3 of the office communication dated 21.08.2023, the Principal Secretary to the Government of Uttar Pradesh, has made the payment within 48 hours from today, as depicted in para 3 of the said communication. Subject to the aforesaid, the contempt petition stands closed. (Sharad Kumar Sharma, J.) 22.08.2023
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