

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 470 of 2022

Applicant :- Basant Lal

Opposite Party :- Jyoti Maurya, Deputy Collector/ Sub Divisional Officer

Counsel for Applicant :- Yatindra, Kuldeep Singh

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 22.01.2020 in Writ-A No.20506 of 2019 passed the following order :

"The instant petition has been filed praying for a mandamus commanding the respondents to pay post retiral dues of the petitioner alongwith interest.

The petition was entertained by this Court on 16.12.2019 and an interim mandamus was issued to Collector, Allahabad and Sub Divisional Officer, Soraon to ensure payment of all retiral benefits to the petitioner or show cause by the next date.

Learned standing counsel, on instructions, states that all retiral benefits have been paid to the petitioner. Counsel for the petitioner does not dispute the same. He, however, submitted that interest has not been paid.

In the facts and circumstances aforesaid, the instant petition is disposed of with liberty to the petitioner to make representation to respondent no.3 for payment of interest on delayed payment of post retiral benefits within a period of two weeks from today alongwith certified copy of this order. The third respondent shall thereafter pass a speaking order on the said representation within next four weeks. The payment of interest shall abide by the decision that is taken by the third respondent."

From perusal of the order it is clear that the representation to the effect for payment of interest on delayed payment of post retiral dues was to be considered by the opposite party pursuant to which an affidavit has been filed by the opposite party wherein it has been stated that the representation has been decided on 04.3.2020, a copy of which has been brought on record as Annexure 2 to the said affidavit.

As the order of the writ Court has been complied with and the representation has been decided on 04.3.2020, the contempt application has rendered infructuous and stands **dismissed**, leaving it open to the applicant to challenge the order passed by opposite party before the appropriate forum, if so advised.

Contempt notice stands discharged.

Order Date :- 20.11.2023

Kushal