

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 1179 of 2020

Applicant :- Dr. Tariq Mahamood

Opposite Party :- Devesh Chaturvedi, Secretary, Medical Health

Counsel for Applicant :- Dinesh Chandra Mishra, Pragati Mishra

Hon'ble Rohit Ranjan Agarwal, J.

1. List has been revised. No one is present for the applicant. Learned Standing Counsel is present for the State.

2. The writ Court on 08.05.2018 in Writ-A No.27141 of 2013 had passed the following order :

"1. It is stated that petitioner was transferred from Aurai- Primary Health Centre, Lala Nagar ,Sant Ravidas Nagar to T. B. Clinic Shiv Prasad Gupt Hospital, Varanasi by order dated 07.07.2004 on a vacant post of Medical Officer Grade-II but his salary from 01.07.2004 to 16.03.2005 and 31.03.2005 is not paid and in this regard he has made representation dated 21.12.2012 to State of U.P. through Secretary, Medical Health, Lucknow, copy of the representation is Annexure-22 of the writ petition but no decision has been taken.

2. In our view whether petitioner is entitled for salary for the aforesaid period is a disputed question of fact and should be examined first by the Competent Authority in the State Government.

3. In the facts and circumstances of case, without expressing any opinion on merits of the case, we dispose of this writ petition, directing respondent-1 to pass a reasoned order on petitioner's aforesaid representation within a period of two months from the date of production of certified copy of this order along with copy of representation."

3. Compliance affidavit on behalf of State has been filed today, which is taken on record.

4. From perusal of the order it is clear that only a direction was issued by the writ Court for deciding the representation, which the authorities have done on 15.9.2023. A copy of the order passed by the opposite party has been brought on record as Annexure 1 to the affidavit of compliance.

5. As the order of the writ Court has been complied with, the contempt application has rendered infructuous and stands dismissed.

Order Date :- 12.10.2023

Kushal