

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 1581 of 2021

Applicant :- Shiv Narayan

Opposite Party :- Shri Tanveer Ahmad Jafri, Secretary And Another

Counsel for Applicant :- Pramod K. Gupta

Counsel for Opposite Party :- Mukesh Kumar Kushwaha

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 05.08.2020 while disposing of Writ - A No.5466 of 2020 passed the following order :

"The case of the petitioner is that he was appointed on 01.01.1972 on the post of "Hammer Man" in U.P. Public Works Department. Later his services were transferred to U.P. State Bridge Corporation Ltd. He was regularized on 01.04.1989. On 09.09.1994, he was repatriated to the Parent Department i.e. P.W.D. and retired from there on 28.02.2015.

The grievance of the petitioner is that he has not been paid gratuity from 01.03.1973 to 31.03.1989 during the period he worked as Muster Roll Work Charge employee.

Learned counsel for the petitioner submitted that the representation made by the petitioner in this regard dated 11.02.2019 be directed to be decided within a specified time frame.

Sri Mukesh Kumar Kushwaha, learned counsel for the respondents points out that respondent no.4 would be competent to take decision in this regard.

Accordingly, without expressing any opinion on the merits, the petition is disposed of with direction to the respondent no.4 to pass a speaking order on the representation of the petitioner dated 11.02.2019 within a period of twelve weeks from the date of receipt of a certified copy of this order. In case any amount found is found due and payable to the petitioner, the same shall be paid to him within a period of eight weeks, failing which the petitioner would be entitled for interest on the said amount at the rate of 8% per annum."

2. Today, Sri Nagesh Kumar, Advocate, has appeared for U.P. Bridge Corporation. He has placed before the Court the instructions so received by him, which is taken on record.

3. According to the said instructions, the representation of the applicant, as directed by the writ Court, has been decided on 01.03.2021.

4. In view of the said fact, as the order of the writ Court has been complied with, 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.

Order Date :- 28.11.2023

Kushal