

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2917 of 2023

Applicant :- Rajesh Kumar Singh

Opposite Party :- Amrit Abhijat, Principal Secretary

Counsel for Applicant :- Rajesh Kumar Pandey

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 08.04.2022 while disposing of Writ - A No.4824 of 2022 passed the following order :

"Heard learned counsel for the petitioner as well as learned Standing Counsel.

Learned counsel for the petitioner is permitted to correct the prayer clause in the petition forthwith.

By means of this petition filed under Article 226 of the Constitution, the petitioner has prayed for a relief in the nature of writ of mandamus directing the concerned respondent to make payment of salary to the petitioner in the grade pay of Rs. 4200/- w.e.f. 01.01.2006 and also pay interest upon such delayed payment as anomaly has yet not been rectified in spite of recommendations made by the concerned Nagar Nigam.

It is stated by learned counsel for the petitioner that earlier when he had approached the State Services Tribunal, direction was issued to the Director, Local Bodies to pass appropriate orders on the representation of the petitioner and now the order has been passed by the Director, Local Bodies, U.P. on 21.02.2022 that the matter had been referred to the State Government who shall be the competent authority in the matter.

Sri Pankaj Srivastava, learned counsel for the Nagar Nigam submits that this anomaly can be rectified by joint effort of the Additional Chief Secretary (Urban Development) as well as the Additional Chief Secretary (Finance) of State of U.P.

In view of the above, since the Director has stated in his order dated 21.02.2022 that matter has been referred to the State Government, it is hereby provided that the concerned Additional Chief Secretaries of the Departments of Urban Development and Finance, State of U.P. will take appropriate decision in the matter and pass orders at their end in consultation with each other, within a period of three months from the date of production of certified copy of this order.

Needless to add that the order to be passed by the competent authority, as directed herein above, shall be reasoned and speaking one."

2. A compliance affidavit on behalf of State has been filed wherein it has been stated that the order of the writ Court has been complied with and a decision has been taken on 26.05.2023, a copy of which has been brought on record as Annexure 1 to the compliance affidavit.

3. 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**.

4. Contempt notice stands discharged.

Order Date :- 2.12.2023

Kushal