

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 4302 of 2021

Applicant :- Hanuman Das Kesari

Opposite Party :- Sri S.P. Kuril, Chief Engineer And Another

Counsel for Applicant :- Krishna Kant Vishwakarma

Counsel for Opposite Party :- Vimlesh Kumar Rai

Hon'ble Rohit Ranjan Agarwal,J.

The writ Court on 26.04.2018 while allowing Writ-A No. 76407 of 2005 had remitted back the matter to competent authority to pass order afresh in the light of the judgment of Apex Court in case of **Baikuntha Nath Das and another vs. Chief District Medical Officer Baripada and another 1992 (2) SCC 299** and **Nand Kumar Verma Vs. State of Jharkhand 2023 (3) SCC 580**.

Complying the order of writ Court, authorities on 10.05.2019 had passed the order deciding the claim of the applicant. Copy of which has been brought on record as Annexure-3 to contempt application.

Learned counsel for the opposite party further states that compliance affidavit along with supplementary compliance affidavit has been filed wherein it has been stated that the retiral dues have already been paid to the applicant.

Learned counsel appearing for applicant states that certain amount pursuant to order passed by opposite party has not been paid.

This Court finds that only order passed by writ Court was to the extent that it had remitted back the matter to opposite party to pass order afresh which they have done on 10.05.2019.

In view of said fact, as the order of writ Court has been complied with, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

However, leaving it open to the applicant to approach the appropriate forum for redressal of his grievance, if any, which had left unattended by the authorities.

Order Date :- 4.12.2023

V.S.Singh