

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 5205 of 2023

Applicant :- Saurabh Kumar Shukla

Opposite Party :- Shri Manish Kumar Singh, District Basic Education Officer, Ballia

Counsel for Applicant :- Mrigraj Singh, Akhilesh Chandra Srivastava, Ashok Kumar Maurya

Counsel for Opposite Party :- Santosh Kumar Upadhyay, Rishabh Kumar Pandey

Hon'ble Rohit Ranjan Agarwal, J.

1. The writ Court on 26.07.2021, in Writ - A No. 8232 of 2021 had passed the following order :

"Heard learned counsel for the petitioner, learned Standing Counsel for the State respondents and Shri Sanjay Kumar Mishra, learned counsel for the respondent.

Present writ petition has been preferred for a direction to respondent authorities to pay entire Gratuity along with interest within stipulated period.

Learned counsel for the petitioner submits that petitioner was appointed as Assistant Teacher in Vaidic Bal Kanya Junior High School and after serving satisfactorily he has retired on 30.09.2019. The petitioner pension, provident fund, insurance has been paid to the petitioner but despite repeated request, the gratuity has not been ensured in his favour. In support of his submission, he has placed reliance on the order dated 05.08.2019 passed in Service Single no.6173/2014 (Smt. Mala Tripathi vs. State of U.P. and others), order dated 24.10.2019 passed in Writ A no.14397/2019 (Renu Gupta vs. State of U.P. and others), order dated 08.07.2020 passed in Writ A no.5108/2020 (Prem Kumari vs. State of U.P. and others).

Considering the facts and circumstances of the case, no useful purpose would be served in keeping the writ petition pending consideration. Without expressing any opinion on the merits of the issue and with the consent, the writ petition stands disposed of asking the competent authority to look into the grievance of the petitioner and if it is in order, to pay the entire payment within three months.

The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad, self attested by the petitioner alongwith a self attested identity proof of the said person (preferably Aadhar

Card) mentioning the mobile number to which the said Aadhar Card is linked.

The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing "

2. A compliance affidavit on behalf of opposite party has been filed today, which is taken on record.

3. According to counsel for opposite party, the representation of the applicant has been decided and revised pay as per 7th pay commission along with other arrears has been paid to the applicant.

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**.

5. Contempt notice stands discharged.

Order Date :- 8.11.2023

Kushal