

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 5961 of 2023

Applicant :- Arun Kumar

Opposite Party :- Smt. Riddhi Pandey, District Basic Education Officer

Counsel for Applicant :- Mohammad Ali Ausaf

Counsel for Opposite Party :- Satveer Singh

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 19.12.2022 while disposing off Writ-A No. 19989 of 2022 passed the following order;

"Heard learned counsel for the petitioner and Sri Shashi Prakash, learned Standing Counsel for the respondents.

The petitioner is working as Junior Assistant in the office of respondent no.2-District Basic Education Officer, Kanpur Dehat. The petitioner applied for sanction of study leave vide application dated 17.06.2022 for a period of one year starting from 01.07.2022.

The grievance of the petitioner is that the the respondent no.2 who is the competent authority to sanction the study leave has not yet sanctioned the study leave. The petitioner in this respect submitted several representation to the respondent authority, but the respondent authority has not paid any heed on the same.

Learned Standing Counsel submits that no useful purpose would be served in keeping the writ petition pending and appropriate direction may be issued to the authority concerned to consider the grievance of the petitioner.

Considering the facts and circumstances of the case and without going into the merits of the case and with the consent of the parties, the writ petition is disposed of with liberty to the petitioner to file a fresh representation before the respondents no.2-District Basic Education Officer, Kanpur Dehat along with a certified copy of this order raising all his grievances within a period of two weeks from today. In case, any such representation is filed by the petitioner, the respondent no2 shall consider and decide the same by a reasoned and speaking order, preferably within a period of two months thereafter.

The writ petition is disposed of subject to the observations made above."

From perusal of the order of writ Court it is clear that a direction was issued that in case applicant files fresh representation same was to be decided by the opposite party.

Today when the case was taken up, learned counsel appearing for the opposite party has placed before the Court an order dated 06.11.2023 passed by the opposite party complying the order of writ Court.

As the representation of the applicant has been decided by the opposite party, contempt application stands dismissed. However, leaving it open to the applicant to assail the order passed by the opposite party before the appropriate forum, if so advised.

Contempt notice stands discharged.

File consign to record.

Order Date :- 7.11.2023

Shekhar