

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6129 of 2023

Applicant :- Vikas Tripathi

Opposite Party :- Shri Pratap Singh Baghel, Secretary

Counsel for Applicant :- Saral Singh, Satyendra Kumar Singh

Hon'ble Rohit Ranjan Agarwal, J.

1. The writ Court on 20.12.2022 while disposing of Writ -A No. 21339 of 2022 passed the following order :

"Shri Saral Singh , learned counsel for the petitioner, learned Standing Counsel for the State-respondents.

By means of the present writ petition, petitioner has prayed to issue a writ of mandamus commanding the respondent no.2 to grant unpaid leave to the petitioner by deciding his application dated 06.06.2022 (Annexure No.2 to this writ petition) within stipulated period.

Counsel for the petitioner submits that in respect thereof petitioner has already preferred a representation dated 6.6.2022 before the respondent No. 2 and the same is still pending consideration.

He further submits that purpose of filing this writ petition would be served if directions are issued to the respondent No.2 to pass appropriate orders on the pending representation of the petitioner.

Learned counsel appearing for the respondents submit that he has no objection to the aforesaid proposition.

Considering the submissions advanced, this Court is of the opinion that no useful purpose would be served by keeping the writ petition pending and the same is accordingly, disposed of requiring the respondent No.2, seized with the representation of the petitioner dated 6.06.2022, to pass appropriate orders thereon, after considering all aspects of the matter, strictly in accordance with law, preferably within a period of two months from the date of service of a certified copy of the order of this Court.

Needless to say that this Court has not expressed any opinion on the merits of the case and it shall be open for the respondent No.2 to pass appropriate orders."

2. From perusal of the order passed by writ Court, it is clear that a direction was issued for deciding representation of the applicant dated 06.06.2022.

3. Today a compliance affidavit has been filed by the opposite party wherein it has been stated that the representation of the applicant has been decided on 18.10.2023, a copy of which has been brought on record as Annexure 1 to the compliance affidavit.

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 :- 21.11.2023

Kushal