

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6383 of 2023

Applicant :- Sanjay Kumar Srivastava

Opposite Party :- Dr. Deepa Tyagi, Director General

Counsel for Applicant :- Neha Gupta, Girish Kumar Gupta

Hon'ble Rohit Ranjan Agarwal, J.

The writ Court on 14.03.2022 in Writ-A No. 3147 of 2022 passed the following order:-

"Heard Mr. Deepak Kumar Jaiswal, learned counsel for the petitioner and learned Standing Counsel for the State-respondents.

The writ petition has been filed with the following prayer:-

"(i) Issue a writ, order or direction in the nature of mandamus commanding, the sixth respondent (Director, U.P. State Employees Group Insurance Directorate, Lucknow to decide the representation dated 23.10.2021 (Annexure-6) for payment of interest @ 312.864% on the saving amount Rs. 21006.85 as has been given to Shri Vijay Kumar (Driver) by the letter No.567 dated 18.09.2021 (Annexure-5).

(ii) Issue a writ, order or direction in the nature of mandamus commanding the fourth respondent (Chief Medical Superintendent, District Women Hospital, Ghaziabad) to pay compound interest on the amount of pension, gratuity & computation as per G.O. dated 06.12.1994 (Annexure-8).

(iii) Issue a writ, order or direction in the nature of mandamus commanding the fourth respondent (Chief Medical Superintendent, District Women Hospital, Ghaziabad) to decide the representation dated 05.02.2022 (Annexure-I) regarding payment of increment arrear amount of Third ACP w.e.f. 28.12.2015 to 31.07.2021, arrear of leave encashment, arrear of pension computation & Gratuity."

Learned counsel for the petitioner submits that petitioner for redressal of his grievance has moved a representation before the respondent no.4 but no decision has been taken till date.

Learned Standing Counsel submits that he has no objection, in case, a fresh representation is moved by the petitioner for redressal of his grievance, the same shall be considered in accordance with law.

Considering the facts and circumstance of the case but without expressing any opinion on the merits of the case set up on behalf of the petitioner, the present writ petition is disposed of by providing that petitioner may make a fresh representation, ventilating all his grievances, supported by such

documents, as may be advised, before the respondent no.2 Director General, Medical & Health & Family Welfare, Meerut Division Meerut, within two weeks from today along with a certified copy of this order. On such representation/application being made, respondent no.2 shall make all endeavours to consider and decide the same, after calling the records from the department concerned, strictly in accordance with law, by means of a reasoned and speaking order, after giving proper opportunity of hearing to the parties concerned, preferably within a period of four months, if there is no legal impediment"

From perusal of the order, it is clear that applicant was required to make a fresh representation which was to be decided by opposite party.

An affidavit of compliance has been filed today which is taken on record.

According to para 8, the order of writ Court has been complied with and representation has been decided on 27.10.2023. Copy of which has been brought along with compliance affidavit.

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.

Order Date :- 30.10.2023

V.S.Singh