

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 6534 of 2023

Applicant :- Amit Kumar Srivastava

Opposite Party :- Pratap Singh Baghel, Seretary Board Of Basic Education

Counsel for Applicant :- Sunil Kumar Srivastava

Hon'ble Rohit Ranjan Agarwal,J.

The writ Court on 14.11.2022 in Writ - A No.15565 of 2022 had passed the following order :

"Heard Sri Sunil Kumar Srivastava, learned counsel for the petitioner, learned Standing Counsel for the State-Respondent Nos.1 & 2 and Sri Mrigraj Singh, learned counsel for the Respondent Nos.3 & 4.

By means of the present writ petition, the petitioner has prayed for issuance of a writ of mandamus commanding the respondents to forthwith grant appointment to the petitioner on compassionate basis on any suitable post according to his qualification within a period specified by this Court and thereafter pay regular salary every month.

At the very outset, learned counsel for the petitioner submits that the claim of the petitioner for suitable appointment on compassionate ground pursuant to the death of his mother, who was working as Assistant Teacher in Primary School, Maharupur Vikas Khand Sirkoni District Jaunpur, and is stated to have died-in-harness on 15.04.2011, is pending consideration before the Respondent No.3, Secretary, U.P. Basic Education Board, Prayagraj. He further submits that purpose of filing this writ petition would be served if directions are issued to the Respondent No.3, Secretary, U.P. Basic Education Board, Prayagraj, to pass appropriate orders on the pending representation of the petitioner.

Learned Standing Counsel for the State Respondents as well as Sri Mrigraj Singh, learned counsel appearing for the Respondent Nos.3 & 4 have no objection to the aforesaid proposition and submit that the claim of the petitioner shall be decided by the Respondent No.3, Secretary, U.P. Basic Education Board, Prayagraj, in accordance with law.

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 expecting the Respondent No.3, Secretary, U.P. Basic Education Board, Prayagraj, seized with the application of the petitioner dated 05.12.2011, to pass appropriate orders thereon, after considering all aspects of the matter, strictly in accordance with law, preferably within a period of one months from the date of service of a certified copy of this order.

Needless to say that this Court has not expressed any opinion on the merits of

the claim of the petitioner and it shall be open for the Respondent No.4, to pass appropriate orders."

Today a compliance affidavit has been filed on behalf of opposite party wherein it has been stated that the order of the writ Court has been complied with and the claim of the applicant has been decided on 03.11.2023, a copy of which has been brought on record as Annexure 1 to the compliance affidavit.

As the order of the writ Court has been complied with and the application filed by the applicant has been considered and decided, the contempt application has rendered infructuous and stands dismissed.

Contempt notice stands discharged.

Order Date :- 6.11.2023

Kushal