

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7031 of 2023

Applicant :- Virendra Kumar Mishra

Opposite Party :- Ashok Kumar, Deputy Commissioner

Counsel for Applicant :- Harish Chandra

Counsel for Opposite Party :- Satyam Singh

Hon'ble Rohit Ranjan Agarwal, J.

The writ court on 05-04-2023 while disposing of Writ-A No. 17508 of 2022 had passed the following order:-

"Heard learned counsel for the petitioner and the learned Standing Counsel.

In furtherance of the order dated 23.03.2017 passed under Section 68(2) & (3) of U.P. Cooperative Societies Act, 1965, passed by the respondent no.3/Deputy Commissioner/Deputy Registrar, Cooperative Societies, the execution proceedings by order dated 01.09.2022 passed by the respondent no.4, which is under challenge in the present writ petition.

In Writ 'A' No. 4493 of 2019 (Virendra Kumar Misra Vs. State of U.P. & others), this Court has already set aside the recovery order dated 23.03.2017, hence the present order dated 01.09.2022 also cannot stand and the same is also set aside.

The writ petition is allowed."

From the perusal of the order passed by the writ court it is clear that the matter was remitted back to the opposite party to pass a fresh order.

A compliance affidavit has been filed today, which is taken on record.

Sri Satyam Singh, learned counsel for the opposite party states that the order of the writ court has been complied with by the opposite party and fresh order has been passed on 18-09-2023. The said fact has been stated in paragraph 4 of the compliance affidavit, copy of the order dated 18-09-2023 has been brought on record as annexure-1 to the compliance affidavit.

As the order of the writ court has been complied with, the contempt application is rendered infructuous and stands dismissed.

Order Date :- 30.11.2023

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