

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7199 of 2023

Applicant :- Ramesh Kumar Gupta

Opposite Party :- Sri Anil Chaturvedi, G.M., Kisan Sahkari Chini Mills Ltd.

Counsel for Applicant :- Ajeet Kumar Shukla

Counsel for Opposite Party :- Ravindra Singh

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 04.11.2022 while disposing of Writ - A No. 17407 of 2022 passed the following order :

"Heard learned counsel for the petitioner and Shri Ravindra Singh, learned counsel appearing for the respondent nos. 2, 4 and 5 and learned Standing Counsel for the respondent nos. 1 and 3.

The present petition has been filed seeking the following relief:-

"Issue a writ, order or direction in the nature of mandamus directing the respondent nos. 3 and 4 to ensure the all withheld retiral benefits and release the Gratuity, Provident Fund, over time work arrear, earned leave encashment, retaining allowance etc and 26 months' salary also with interest in terms of the applicable Govt. order/scheme which is pending before them for consideration from a long time, within a stipulated period as fixed by this Hon'ble Court."

It is the case of the petitioner that he retired from the post of Oil Man, Seasonal in Kisan Sahkari Chini Mills Ltd. Ghosi, District-Azamgarh (now in District Mau). The service of the petitioner is governed by U.P. Co-operative Sugar Mills and Distilleries Employees Service Regulations, 2015. The petitioner retired on 31.03.2022. However, he has not been paid his retiral benefits.

He has made representation in this regard to the respondent no. 4 on 04.06.2022 and thereafter sent reminders also. A copy of which has been filed as Annexure No. 5 to the petition. Till date no heed has been paid. Hence, this petition.

This petition is disposed of with a direction to the respondent no. 4 to consider the grievance of the petitioner and pass appropriate reasoned and speaking order within a period of eight weeks from the date of receipt of copy of this order.

In case, any dues are found to be admissible, to be paid to the petitioner along with admissible interest, the same shall be paid to him within a further period of eight weeks from the date of decision on the representation is made, along with the admissible interest."

2. From perusal of the order of writ Court, it is clear that a direction was issued to the opposite party to decide representation of the applicant and in case any dues are found to be admissible to the applicant, the same was to be paid along with admissible interest.

3. A compliance affidavit has been filed on behalf of opposite party wherein, in para 5 it has been contended that entire post retiral dues has been paid to the applicant under the various heads amounting to Rs.5,30,646/-. A copy of the payment details to the applicant has been brought on record as Annexure CA-1 to the compliance affidavit.

4. As the order of writ Court has been complied with by the opposite party, the contempt application has rendered infructuous and stands dismissed.

5. Contempt notice stands discharged.

Order Date :- 6.12.2023

Kushal