

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7184 of 2023

Applicant :- Shameeullah Khan

Opposite Party :- Sri Anil Chaturvedi

Counsel for Applicant :- Ajeet Kumar Shukla

Counsel for Opposite Party :- Ravindra Singh

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 16.11.2022 while disposing of Writ - A No. 18510 of 2022 passed the following order :

"Heard learned counsel for the petitioner and Sri Ravindra Singh, learned counsel appearing on behalf of the respondent nos.3 and 4.

This petition has been filed with the following main relief:-

"(i). Issue a writ, order or direction in the nature of mandamus directing the Respondent no.4 to ensure the all withheld retiral benefits and release the Gratuity, Provident Fund, Earned Leave Encashment, Retaining Allowance, Bonus, Overtime work arrear and 1 month's Contract Basis work arrear etc. also, with interest in terms of the application Govt. order/scheme, which is pending before them for consideration from a long time, within a stipulate period as fixed by this Hon'ble Court, otherwise petitioner shall suffer an irreparable loss and injury."

It is the case of the petitioner that he retired as Oil Main (Seasonal) from the office of the respondent no.4 on 31.01.2022. He has not been paid his retiral dues and other service benefits. The petitioner has made a representation to the respondent no.4 on 10.06.2022. However, no heed has been paid to him. Hence this petition.

This petition is disposed of with a direction to the Respondent No. 4 to consider the representation of the petitioner dated 10.06.2022 and pass a reasoned and speaking order thereon within a period of eight weeks from the date a copy of this order is produced before him. In case any dues are found admissible to be paid to the petitioner, the same shall be paid to the petitioner along with admissible interest thereon for delayed payment within a period of eight weeks from the date of passing of the order on the representation of the petitioner as per the relevant Rules/Government Orders."

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 retirement dues has been paid to the applicant under the various heads amounting to Rs.5,70,423/-. 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