

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 7203 of 2023

Applicant :- Harishankar Chaudhary

Opposite Party :- Sri Arun Kumar, D.M. And Another

Counsel for Applicant :- Ajeet Kumar Shukla

Counsel for Opposite Party :- Ravindra Singh

Hon'ble Rohit Ranjan Agarwal,J.

1. The writ Court on 21.12.2022 while disposing of Writ - A No. 21606 of 2022 passed the following order :

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

The present petition has been seeking the following relief:-

"Issue a writ, order or direction in the nature of mandamus directing the respondent no. 4 to ensure the all withheld retiral benefits on the basis of present Dearness Allowance and release the Gratuity, Provident Fund, Leave Encashment, 2 years' Over Time Work arrear, 2 years' Retaining Allowance 3 years' Bonus as well as 5 months' salary etc. with interest within a stipulated period as fixed by this Hon'ble Court."

It is the case of the petitioner that he was appointed on the post of Centrifugal Operator Seasonal in December, 1984 and he retired on 31.08.2022. The respondent no. 4 issued a No Objection Certificate to the petitioner on 20.10.2022. However certain dues of the petitioner have yet not been paid.

He has made representation in this regard to the respondent no. 1 on 01.12.2022. A copy of which has been filed as Annexure No. 7 to the petition. Till date no heed has been paid. Hence, this petition.

This petition is disposed of with a direction to the petitioner to make a fresh representation within three weeks from today to the respondent no.2. The respondent no.2 shall seek comments from the respondent no. 4 and pass reasoned and speaking orders within a period of ten weeks. In case any dues are found admissible, the same shall be ensured to be paid to the petitioner by respondent no.4 within a further period of ten weeks after the decision on the representation is made."

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.5,95,830/-. 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