

Court No. - 9

Case :- CONTEMPT APPLICATION (CIVIL) No. - 8429 of 2019

Applicant :- Nirmala Singh

Opposite Party :- Dr. Preetam Kumar Mishra, Chief Medical Officer

Counsel for Applicant :- B.B.Rai,Ajitabh Choubey

Hon'ble Rohit Ranjan Agarwal,J.

List revised. No one is present on behalf of applicant to press the application.

The writ Court on 09.09.2019 while disposing of Writ-A No. 12118 of 2019 passed the following order:-

"While entertaining the writ petition following orders were passed on 8.8.2019:-

"Petitioner was initially appointed as Class IV employee in the year 2000. He has approached this Court with the grievance that since 2013 petitioner's GPF amount is not being deducted on account of the fact that the fresh GPF account has not been opened after the petitioner has been promoted on Class III post. It is also stated the petitioner's salary for the last two years has been withheld for such reasons.

Learned Standing Counsel may obtain instructions from respondent no. 4 by the next date fixed.

Post as fresh on 19th August 2019."

Again this Court proceeded to pass following orders on 19.8.2019:-

"Pursuant to the order passed on 8.8.2019, Sri Rajnish Kumar Rai appearing for the respondents has obtained instructions, according to which no request has been received from respondent no.5 for opening a fresh account, once petitioner has been promoted to a Class-III post. It is stated that in case such a request is received, petitioner's claim would be considered. Learned Standing Counsel may obtain instructions from respondent nos.4 and 5 as to why such a request has not been made so far to the Accountant General's Office.

Post as fresh, once again, on 2.9.2019."

Learned Standing Counsel has obtained instructions from the Chief Medical Officer, Ballia, dated 30th August, 2019, which is taken on record. As per instructions a request for opening fresh Account has been made on 5.8.2019

and that a fresh Account No. PHU-56644 has already been opened in the name of the petitioner. It is stated that from the coming month G.P.F. deductions would be routinely deposited in his Account. It is also stated that so far as arrears are concerned, the deposit has already been made and that it would be credited to the P.F. Account of the petitioner.

In view of the stand so taken by the respondents, this writ petition stands disposed of with a direction upon the authority concerned to ensure that a G.P.F. Account is duly maintained in respect of petitioner, ever since he has been promoted on the Class III post, and all unpaid deductions are duly remitted to such account within a period of two months, from the date of presentation of a certified copy of this order"

A compliance affidavit has been filed on behalf of opposite party wherein in para no. 3, it has been stated that G.P.F. account of the applicant has been maintained properly and all the contribution of G.P.F. has been maintained in the G.P.F. book of the applicant.

In view of said fact, as the order of writ Court was only to the extent to maintain G.P.F. account of the applicant ever since he has been promoted on Class III post and authorities complying the order of writ Court maintained the G.P.F. account, the contempt application is rendered infructuous and the same stands dismissed.

Contempt notice stands discharged.

Order Date :- 16.11.2023

V.S.Singh