

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2419 of 2023

Applicant :- Prachi Srivastava And Another

Opposite Party :- Pratap Singh Baghel, Secy. U.P., Basic Shiksha Parishad, Allahabad And Another

Counsel for Applicant :- Amit Chaudhary

Counsel for Opposite Party :- Ran Vijay Singh, Rishabh Tripathi

Hon'ble Rajesh Singh Chauhan, J.

1. Heard learned counsel for the petitioners and Sri Rishabh Tripathi, learned counsel for the opposite parties.

2. This Court has passed the order dated 09.10.2023 which reads as under:

"1. Sri Ran Vijay Singh, Advocate and Rishabh Tripathi, Advocate have appeared on behalf of the opposite parties no.1 and 2 respectively and have filed their Vakalatnama, same are taken on record.

2. Heard learned counsel for the petitioners and Sri Ran Vijay Singh, learned counsel for the opposite party no.1 and Shri Rishabh Tripathi, learned counsel for the opposite party no.2.

3. This Court has passed the order dated 14.09.2023 which reads as under:-

"1. On account of call of boycott by the Bar Association, learned counsel for the petitioner is not present, however Smt. Priyanka Gupta, the petitioner No.2, is present.

2. As per office report dated 14.09.2023, the service report in respect of service of notice upon opposite party No.1 is still awaited from the Chief Judicial Magistrate, District-Prayagraj. However, notice has been served upon opposite party No.2.

3. Smt. Priyanka Gupta, the petitioner No.2, has stated that the order of the Writ Court has not been complied with till date.

4. Considering the aforesaid submission of Smt. Priyanka Gupta, the petitioner No.2, list this case on 09.10.2023.

5. On or before 09.10.2023, the affidavit of compliance shall be filed making compliance of order of the Writ Court in its letter and spirit, failing which, the opposite party No.2 i.e. Sri Akhilesh Pratap Singh, District Basic Education Officer, Sitapur shall appear in person on the next date.

6. The petitioner No.2, Smt. Priyanka Gupta, shall apprise this order to the opposite party No.2 i.e. Sri Akhilesh Pratap Singh, District Basic Education Officer, Sitapur personally/ through registered post / any other convenient mode for its compliance.

7. In the meantime, if the notice is served upon opposite party No.1, he may also take appropriate steps for making compliance of order of the Writ Court."

4. In compliance of the aforesaid order, the opposite party no.2, Shri Akhilesh Pratap Singh, District Basic Education Officer, Sitapur is present in person.

5. *Shri Ran Viajy Singh and Shri Rishabh Tripathi, learned counsel for the opposite parties have stated that if they are given some reasonable time, they shall file affidavit of compliance making compliance of the order of the writ Court in its letter and spirit.*

6. *Let the affidavit of compliance be filed within a period of two weeks.*

7. *List this case on 02.11.2023.*

8. *On or before 02.11.2023, the affidavit of compliance shall be filed by the opposite party no.2 making compliance of the order of the writ court in its letter and spirit, failing which he shall again appear in person on the next date.*

9. *When the case is next listed, names of Shri Ran Viajy Singh and Shri Rishabh Tripathi be shown as counsel for the opposite parties no.1 and 2, respectively, in the cause list."*

3. Sri Rishabh Tripathi has filed the affidavit of compliance, making compliance of the order of Writ Court in its letter and spirit, the same is taken on record.

4. By means of order dated 01.11.2023, Annexure- A-1 to the affidavit of compliance, passed by District Basic Education Officer, Sitapur, the petitioner has been given appointment.

5. In view of the above, the instant contempt petition is ***dismissed.***

6. Notices, if any, are discharged.

[Rajesh Singh Chauhan,J.]

Order Date :- 2.11.2023

kkv/