

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2423 of 2023

Applicant :- Chakravarti Saran Pandey

Opposite Party :- Sri Rakesh Kumar Mishra, D.M. / Collector Amethi

Counsel for Applicant :- Shiva Nand Pandey, Geeta Rani

Hon'ble Rajesh Singh Chauhan, J.

1. Heard learned counsel for petitioner and Shri Amrendra Pratap Singh, learned Standing Counsel.

2. Attention has been drawn towards Annexure No.A-1 of affidavit of compliance dated 13.09.2023, which is a detailed order dated 04.08.2023 passed by District Magistrate, Amethi, whereby the representation of the petitioner has been disposed of. Learned Standing Counsel has further drawn attention of this Court towards the order of the writ court dated 22.11.2022 whereby the writ court has specifically directed that the authority concerned should decide the representation of the petitioner within a period of 3 months and the writ court has made it clear that the merits of the issue has not been appreciated while passing the order dated 22.11.2022. Shri Amrendra Pratap Singh has further stated that the validity and authenticity of the order dated 04.08.2023 (supra) may not be tested before the contempt court and if the petitioner is aggrieved, he may challenge the same before the appropriate court of law.

3. However, the learned counsel for petitioner has stated that the order dated 04.08.2023 has been passed illegally and in an unwarranted manner inasmuch as those benefits which have been provided to the identically placed persons have been

denied to the petitioner without having any cogent reasons to that effect. He has further submitted that all those reasons which have been indicated in the order dated 04.08.2023 are misconceived.

4. Be that as it may, since the writ court has passed the order without entering into the merits of the issue directing the authority concerned to pass speaking and reasoned order and the authority concerned has passed the detailed order on 04.08.2023 indicating the reasons, therefore, there is no purpose to keep this petition pending any longer, accordingly, the same is **dismissed**.

5. Notice are discharged.

6. However, if the petitioner is aggrieved from the order dated 04.08.2023 (supra), he may assail that order before the appropriate court of law.

Order Date :- 21.11.2023
Mohd. Sharif