

**Court No. - 4**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 2584 of 2023

**Applicant :-** Indra Kumar Bajpai And Others

**Opposite Party :-** Mr. Masoom Ali Sarwar M.D., U.P. State Road Transport Corporation, Lko. And Another

**Counsel for Applicant :-** Prem Kumar Srivastava, Vivek Kumar Tiwari

**Counsel for Opposite Party :-** Ratnesh Chandra

**Hon'ble Rajesh Singh Chauhan,J.**

1. Heard learned counsel for the petitioners and Sri Ratnesh Chandra, learned counsel for the opposite parties.

2. Sri Ratnesh Chandra has drawn attention of this Court towards the order of Writ Court dated 12.05.2023 passed in Writ-A No. 3492 of 2023 which reads as under:

*"The present petition has been filed by the petitioners with the following prayer:-*

*"1. Issue a writ order or direction in the nature of mandamus directing to respondents corporation to Grant Seniority and consequential benefits to the petitioner Nos. 1,2 and 3 and above the Seniority of Open Market candidates and place the petitioners before Seniority List.*

*2. Issue a writ, order or direction in the nature of mandamus commanding and directing the opposite parties and decided to representation dated 08-12-2022 and registered notice dated 05-01-2023 given by petitioners.*

*3. Issue a writ, order or direction in the nature of mandamus commanding and directing that the appointment of the petitioners be treated to have been made from the date of appointment of First candidate open market /conductor the petitioners to be treated senior to the open market candidates/conductor."*

*Considering the fact that the petitioners have already approached the respondent No.6, the present petition is disposed of permitting the petitioners to file a fresh representation before the opposite party No.6 for their grievances, the opposite party No.6 shall pass an order in accordance with law preferably within a period of two months from today."*

3. He has submitted that by means of the aforesaid order, a direction was issued to decide the representation of the petitioners. He has further drawn attention of this Court towards short counter affidavit filed on 26.09.2023 showing Annexure No. CA-1 which is an order passed by the Regional Manager, UPSRTC, Lucknow region, Lucknow dated 12.07.2023, thereby deciding the representation of the petitioners.

4. Learned counsel for the petitioners has stated that while deciding the aforesaid representation, the authority concerned has not granted the benefit for which the petitioners were legally entitled.

5. Be that as it may, since in compliance of the order of Writ Court, the representation of the petitioners has been decided vide order dated 12.07.2023, therefore, there is no purpose to keep this contempt petition pending any longer.

6. Accordingly, the instant contempt petition is ***dismissed***.

7. Notices, if any, are discharged.

8. However, it is always open for the petitioners to assail the aforesaid order dated 12.07.2023, if the petitioners feel aggrieved from that order before appropriate Court of law.

[Rajesh Singh Chauhan,J.]

**Order Date :- 19.10.2023**

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