

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2842 of 2023

Applicant :- Dr. Ghan Shyam Lal

Opposite Party :- Dr. Hariom, Director, Janjati Vikas Directorate Janjati Vikas, Lko.

Counsel for Applicant :- Ramesh Kumar Srivastava

Hon'ble Rajesh Singh Chauhan,J.

1. Heard Sri Ramesh Kumar Srivastava, learned counsel for the petitioner and Sri Amarendra Pratap Singh, learned Standing Counsel.

2. This Court has passed the order dated 16.10.2023, which reads as under:-

"1. Heard Sri Ramesh Kumar Srivastava, learned counsel for the petitioner and Sri Amarendra Pratap Singh, learned Additional Chief Standing Counsel for the opposite party/ contemnor.

2. Sri Amarendra Pratap Singh, learned Additional Chief Standing Counsel has stated that the order of the Writ Court has been complied with in its letter and spirit inasmuch as the Director has passed the order dated 25.09.2023 providing the benefits to the petitioner in terms of order of the Writ Court.

3. Let the affidavit of compliance be filed within a period of three weeks.

4. List this case on 17.11.2023 within top ten cases.

5. In the affidavit of compliance, the opposite party shall indicate as to whether the petitioner has been paid the dues in terms of order dated 25.09.2023 (supra)."

3. Sri Amarendra Pratap Singh, learned Standing Counsel has stated that order of compliance has already been passed on 25.09.2023 but due to some compelling reasons he could not file affidavit of compliance, therefore, he may be given some reasonable time to file affidavit of compliance.

4. Be that as it may, when the competent authority has passed the order dated 25.09.2023 making compliance of order of the Writ Court in its letter and spirit, it is incumbent upon such authority to ensure that the actual benefit of order is provided to the petitioner at the earliest.

5. It has been informed by the learned counsel for the petitioner

that however the order has been passed on 25.09.2023 but actual benefit of the aforesaid order has not been provided to the petitioner till date.

6. Therefore, considering the fact that the Director has passed the order dated 25.09.2023 in compliance of order of the Writ Court, I do not find any good reason to keep this contempt petition pending any longer.

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

8. Notice, if any, stands discharged.

9. However, it is expected that in compliance of order dated 25.09.2023 the petitioner be paid all dues with expedition preferably within a period of three weeks from today, to be more precise on or before 15.12.2023, failing which, the liberty is given to the petitioner to file an application for revival of the present contempt petition and if such application is filed and it is found that the actual benefit of order dated 25.09.2023 has not been provided to the petitioner, the contempt petition may be revived and in that case any coercive order may be passed against the authority concerned under the Contempt of Courts Act.

[Rajesh Singh Chauhan,J.]

Order Date :- 17.11.2023
Suresh/