

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2850 of 2023

Applicant :- Ghanshyam Verma

Opposite Party :- Shri Anuj Singh, Dist. Magistrate / Dist. Program Coordinator, Sitapur

Counsel for Applicant :- Shrawan Kumar Verma

Hon'ble Rajesh Singh Chauhan,J.

1. Heard learned counsel for the petitioner and Sri Amrendra Pratap Singh, learned Addl. Chief Standing Counsel.
2. Sri Amrendra Pratap Singh has shown copy of letter dated 03.10.2023 preferred by the District Magistrate, Sitapur addressing to the Chief Standing Counsel of this Court enclosing therewith copy of order dated 23.05.2023 whereby in compliance of the order of the writ court, the petitioner has been reinstated in service with all consequential service benefits, the same is taken on record and a copy thereof has been provided to the learned counsel for the petitioner.
3. Sri S.K. Verma, learned counsel for the petitioner has stated that, however, the petitioner has been reinstated in service in compliance of the order of the writ court but as per his instructions, neither the petitioner has been paid arrears of salary etc. nor has been paid regular salary.
4. On that, Sri Amrendra Pratap Singh has drawn attention of this Court towards the letter dated 03.10.2023 of the District Magistrate wherein he has categorically indicated that the petitioner shall be paid his salary with all consequential service benefits.
5. Be that as it may, when the District Magistrate has passed the order dated 23.05.2023 (supra), the petitioner should have been paid all consequential service benefits and he should have also been paid his regular salary but more than five months' period has passed since 23.05.2023, the petitioner is said to have not been paid his regular salary and consequential service benefits, which is not acceptable. However, learned Addl. Chief Standing Counsel has stated that in compliance of the order of the writ court, the petitioner shall be paid his all consequential service benefits and arrears of salary with expedition.

6. Having heard the aforesaid submission of Addl. Chief Standing Counsel, it is expected that the petitioner shall be paid his entire consequential service benefits and arrears of salary within two weeks, to be more precise on or before 18.11.2023.

7. In view of the above, the present contempt petition is **dismissed**.

8. Notice is discharged.

9. However, learned counsel for the petitioner is given liberty to file an application for revival of the present contempt petition immediately after 18.11.2023, if the petitioner is not paid his all consequential service benefits and arrears of salary in terms of the order of the writ court and in that case, if this contempt petition is revived and the fact is noticed that the order of the writ court has not been complied with despite the specific submission being made by the learned Addl. Chief Standing Counsel, any coercive order under the Contempt of Courts Act may be passed against the sole opposite party.

[Rajesh Singh Chauhan,J.]

Order Date :- 28.10.2023

RBS/-