

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3023 of 2023

Applicant :- Raj Bahadur Yadava @ Raj Bahadur Yadav

Opposite Party :- Shri Girish Kumar Singh, Distt. Inspector Of Schools, Ambedkar Nagar

Counsel for Applicant :- Pawan Kumar Pandey, Shashank Singh

Hon'ble Rajesh Singh Chauhan, J.

1. Heard.

2. This Court has passed 1.11.2023, which reads as under :

"1. Heard learned counsel for the petitioner and Sri Amrendra Pratap Singh, learned Standing Counsel.

2. Sri Amrendra Pratap Singh has stated that he has received the complete instructions in the matter, therefore, he may be given some reasonable time to file the affidavit of compliance.

3. List this case on 11th of December, 2023.

4. On or before 11th of December, 2023, the sole opposite party, namely, Shri Girish Kumar Singh, District Inspector of Schools, Ambedkar Nagar, shall file the affidavit of compliance, making compliance of the order of Writ Court in its letter and spirit, failing which, he shall appear in person on the next date."

3. Sri Vinayak Saxena has filed affidavit of compliance of Sri Girish Kumar Singh, D.I.O.S., Ambedkar Nagar who is also present in person, same is taken on record.

4. Sri Saxena has stated that, however, the earlier order was conditional but as abundant precaution the D.I.O.S., Ambedkar Nagar is present in person.

5. Learned counsel for the parties have informed that the order of the writ court has been complied with and the arrears of the salary of the petitioner has been ordered to be paid. However, the petitioner has not been paid salary for the month of November 2023.

6. On that the learned Standing Counsel as well as the officer who is present in person has stated that the payment of salary would be made to the petitioner as soon as the required bill is put up before him.

7. Having considered the aforesaid submission of learned counsel for the parties and the affidavit of compliance, I find no fruitful purpose in keeping this contempt petition pending any longer.

8. Accordingly, the contempt petition is **dismissed**.

9. Notices discharged.

10. However, it is made clear that the entire dues which has been ordered to be paid to the petitioner shall be credited in his account, if the same has not been credited as yet with expedition preferably within a period of four weeks from today and the petitioner shall also be paid his regular salary in terms of the order of this Court, failing which the liberty is granted to the petitioner to file an application for revival of the contempt petition and if such application is filed and the contempt petition is revived, appropriate coercive order may be passed against the officer under the Contempt of Courts Act.

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[Rajesh Singh Chauhan, J.]

Order Date :- 11.12.2023

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