

**Court No. - 4**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 3084 of 2023

**Applicant :-** Anil Kumar Pandey And Another

**Opposite Party :-** Shri Sardar Singh, Distt. Inspector Of Schools, Pratapgarh

**Counsel for Applicant :-** Harsha Yadav

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

1. Heard.

2. This Court has passed order dated 23.11.2023 which reads as under :

*"1. Heard.*

*2. This Court has passed the order dated 03.11.2023, which reads as under:-*

*"1. Heard Ms. Harsha Yadav, learned counsel for the petitioners and Sri Mohit Jauhari, learned Standing Counsel for the State.*

*2. Ms. Harsha Yadav has submitted that the issue in question has already been settled up to the Apex Court but the compliance of the order of the writ court has not been done till date. She has further submitted that in the case of the present petitioners the writ court has passed order dated 28.7.2023 extending the benefit of judgment and order dated 10.1.2023 passed in Writ-A No. 7931 of 2022 but before passing the aforesaid order dated 28.7.2023 the issue had attained finality.*

*3. Sri Mohit Jauhari, learned Standing Counsel has stated on the basis of instructions that the relevant correspondences have already been made and the order of the writ court shall be complied with very soon.*

*4. Ms. Yadav has drawn attention of this Court towards the Contempt Application (Civil) No. 2526 of 2023 which is a similar matter which has been fixed for 23.11.2023.*

*5. In view of above, list this contempt petition along with Contempt Application (Civil) No. 2526 of 2023 on 23.11.2023.*

*6. On or before 23.11.2023 the affidavit of compliance shall be filed making compliance of the order of the writ court by the sole opposite party in its letter and spirit, failing which the opposite party namely Sri Sardar Singh, District Inspector of Schools, Pratapgarh shall appear in person.*

*7. If the order of the writ court is not complied with by the authority aforesaid in its letter and spirit the charges may be framed against him on the next date."*

*3. In compliance of the aforesaid order, Sri Sardar Singh, District Inspector of School, Pratapgarh (in short DIOS) is present in person before the Court.*

*4. Sri Vinayak Saxena, learned Standing Counsel, on the basis of instructions received from the DIOS, has stated that the Institution in question has not forwarded the bills of the petitioner till date. However, he has received information that those bills shall be produced before the authority concerned within two days. He has further submitted that as soon as those bills shall be produced before the authority concerned, the payment shall be made to the petitioner forthwith in the same manner as the payment has been made to other*

*identically placed persons.*

*5. Therefore, Sri Saxena, learned Standing Counsel has requested that some reasonable time may be given him to do the needful exercise in the matter.*

*6. Considering the aforesaid request of Sri Saxena and the officer who is present before the Court, he is given two weeks' time to do the needful exercise in the matter.*

*7. List this case on 13.12.2023.*

*8. On or before 13.12.2023, a fresh affidavit of compliance shall be filed indicating therein that the order of the Writ Court has been complied with in its letter and spirit, failing which, the officer who is present in person before the Court, shall again appear in person before the Court on the next date."*

3. Sri Mayankar Singh, learned Standing Counsel has produced the copy of instruction letter dated 8.12.2023 along with relevant documents showing that the order of the writ court has been complied with in its letter and spirit as the arrears have been paid to the petitioners, same is taken on record and a copy thereof has also been given to Ms. Harsha Yadav, learned counsel for the petitioner.

4. Be that as it may, when the order has already been passed and the direction has been issued to make payment of arrears to the petitioners, nothing remains to be adjudicated by this Court in this writ petition.

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

6. Notices discharged.

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**[Rajesh Singh Chauhan, J.]**

**Order Date :- 13.12.2023**

Om