

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3216 of 2023

Applicant :- Anshu Kumar

Opposite Party :- Sri Anil Garg Ias, Prin. Secy. Deptt. Of Irrigation And Water Resources Lko. And Others

Counsel for Applicant :- Prashant Kumar Singh

Hon'ble Rajesh Singh Chauhan,J.

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

2. Sri Prashant Kumar Singh has stated that he has received the copy of affidavit of compliance wherein the orders have been passed by the Executive Engineer on 13.10.2023 rejecting the claim of the petitioner as well as the claim of his brother. He has further submitted that the petitioner shall challenge the aforesaid order, inasmuch the aforesaid order is patently arbitrary, illegal and uncalled for.

3. The aforesaid affidavit of compliance is not available on record. Since the copy of the affidavit of compliance has been shown to the Court, therefore there is no purpose to keep this contempt petition pending any longer.

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

5. Notices, if any, are discharged.

6. However, considering the submissions of learned counsel for the petitioner that the petitioner had worked w.e.f. 02.06.2023 till 13.10.2023 as a compassionate appointee but he has not been paid salary to the aforesaid period, therefore, in compliance of the order of Writ Court whereby the impugned order has been set aside, the petitioner should have been paid salary for the aforesaid period, it is needless to say that the appropriate order to that effect may be passed by the competent authority, making compliance of the order of Writ Court for that the petitioner may approach the competent authority.

7. So far as the impugned order dated 13.10.2023 is concerned, it is always open for the petitioner to assail the aforesaid order before the appropriate court of law.

8. Since the application (compliance report) is listed tomorrow before Mr. Mayank Tripathi-I, Registrar (J) Digitization at

Serial No. 812, so the aforesaid application shall be disposed of in terms of the aforesaid order keeping the aforesaid application alongwith the affidavit on record.

[Rajesh Singh Chauhan,J.]

Order Date :- 17.11.2023

kkv/