

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3239 of 2023

Applicant :- Amit Kumar Sharma

Opposite Party :- Sri Arvind Singh, District Magistrate / Distt.
Programme Coordinator, Balrampur And Others

Counsel for Applicant :- Dharm Raj Mishra

Counsel for Opposite Party :- Prabhakar Tiwari

Hon'ble Rajesh Singh Chauhan,J.

1. Heard learned counsel for the petitioner and Sri Prabhakar Tiwari, learned counsel for the opposite party.
2. Sri Prabhakar Tiwari has filed affidavit of compliance on behalf of opposite party nos. 1 and 2 i.e. the District Magistrate and Chief Development Officer, Balrampur, both the aforesaid affidavits of compliance are taken on record.
3. The affidavit of District Magistrate shows that the Chief Development Officer, Balrampur has constituted a committee of four officers selected by the District Magistrate on 6.10.2023 (Annexure no. 1). The aforesaid committee has directed to reinstate the petitioner in terms of the order of this Court but no work shall be taken from him (Annexure no. 3). The Chief Development Officer has passed the order dated 17.10.2023 directing that the petitioner be issued notice so that his issue could be tested at the earliest in terms of the order of this Court (Annexure no. 3). The petitioner has been given notice on 24.10.2023 by the Chief Development Officer seeking explanation from him (Annexure no. 4). The petitioner has preferred a letter dated 26.1.2023 addressed to the District Magistrate, Balrampur asking two weeks time to submit his explanation (Annexure no. 5). The C.D.O., Balrampur has issued a letter dated 26.10.2023 fixing the next date for 16.11.2023 for finalizing the issue directing the petitioner to appear in person and submit his explanation, therefore, Sri Tiwari, learned counsel for the opposite party has stated that the order of the writ court has been complied with inasmuch as the petitioner has been reinstated in service and after affording ample opportunity of hearing to the petitioner inquiry in question would be concluded with expedition. Sri Tiwari has further submitted that the next date has been fixed for tomorrow i.e. 25.11.2023 and after considering the submission of the petitioner the appropriate decision would be taken.

4. Be that as it may, since the petitioner has been reinstated in service and the departmental inquiry is about to conclude wherein on the request of the petitioner he has been provided some time and now he is said to have submitted his explanation, therefore, it is expected that the aforesaid inquiry is concluded with expedition so that the petitioner could take appropriate steps if he feels himself aggrieved from this action.

5. However, nothing remains to be adjudicated in this present contempt petition.

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

7. Notices discharged.

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[Rajesh Singh Chauhan, J.]

Order Date :- 24.11.2023

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