

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3236 of 2023

Applicant :- Pradip Kumar

Opposite Party :- Shri Ajay Chauhan, Prin. Secy. P.W.D. U.P. Govt. Lko.
And Another

Counsel for Applicant :- Ashwani Kumar

Hon'ble Rajesh Singh Chauhan,J.

1. Heard.

2. Sri Anirudha Singh, learned Standing Counsel has filed the affidavit of compliance, the same is taken on record.

3. He has drawn attention of this Court towards order of the Writ Court dated 11.08.2023 passed in Writ-A No. 5938 of 2023 which reads as under:

"Heard learned counsel for petitioner and learned State Counsel for opposite parties.

Petition has been filed seeking a direction to opposite parties to consider and transfer petitioner as per his request given in representation dated 25.07.2023. It has been submitted that petitioner who is currently working on post of Executive Engineer is due to superannuate on 31.12.2023 and is therefore required to be posted in terms of paragraph 5 (vi) of Government Order dated 07.06.2023. It is submitted that with regard to similarly placed employees of the department option has been taken and transfer has been effected in pursuance of aforesaid Government Order whereas such a benefit has not been provided to petitioner.

Considering aforesaid submissions, opposite party no.1, i.e. Principal Secretary, Public Works Department U.P., Lucknow is directed to decide petitioner's representation dated 25.07.2023 within a period of four weeks from the date a certified copy of this order is produced before the said authority annexing a copy of representation.

With aforesaid observations and directions, the petition is finally disposed of. "

4. Sri Anirudha Singh has further drawn attention of this Court towards Annexure No. CA-1 which is office memo dated 26th of October, 2023 passed by Principal Secretary, Public Works Department, U.P., whereby, in compliance of the order of Writ Court, the representation of the petitioner has been decided, thereby rejecting he same.

5. In view of the aforesaid development, nothing remains to be adjudicated in the present contempt petition.

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

7. Notices, if any, are discharged.

8. However, it is always open for the petitioner to challenge the office memo dated 26th of October, 2023 (supra), if he feels aggrieved from that order.

[Rajesh Singh Chauhan,J.]

Order Date :- 30.10.2023

kkv/