

Court No. - 4

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3448 of 2023

Applicant :- Vikas Chetana, Thru. Its Secy. Durga Singh And Another

Opposite Party :- Vijay Kiran Anand, Director, State Project Director, Sarva Shiksha Abhiyan, Lko. And Others

Counsel for Applicant :- Somesh Tripathi

Counsel for Opposite Party :- Shivam Sharma

Hon'ble Rajesh Singh Chauhan,J.

1. Heard Sri Somesh Tripathi, learned counsel for the petitioner and Sri Shivam Sharma, learned counsel for the opposite party no.3.

2. This Court has passed the order dated 16.11.2023, which is as under:-

"1. Heard Sri Somesh Tripathi, learned counsel for the petitioners and Sri Shivam Sharma, learned counsel for opposite party No.3, namely, Sri Shivendra Pratap Singh, District Basic Education Officer, Raebareli (in short B.S.A.), who has filed Vakalatnama on his behalf. The same is taken on record.

2. Sri Sharma, learned counsel for the B.S.A. has stated that he has received complete instructions in the matter, therefore, he may be given some reasonable time to file affidavit of compliance.

3. Let the affidavit of compliance be filed within a period of four weeks.

4. List this case on 20.12.2023.

5. On or before 20.12.2023, the opposite party No.3, namely, Sri Shivendra Pratap Singh, District Basic Education Officer, Raebareli shall file affidavit of compliance making compliance of order of the Writ Court in its letter and spirit, failing which, he shall appear in person before the Court on the next date.

6. When the case is next listed, name of Sri Shivam Sharma, Advocate be printed in the cause list as counsel for the opposite parties."

3. Sri Shivam Sharma has filed affidavit of compliance, the same is taken on record. In the aforesaid affidavit of compliance it has been categorically indicated that the order of the writ Court has been complied with in letter and spirit. Sri Sharma has stated that the representation of the petitioner has been decided in terms of the order of the writ Court by B.S.A. Raebareli by means of order dated 16.12.2023.

4. Learned counsel for the petitioner has not disputed the aforesaid fact but he has requested that liberty may be given to the petitioner to assail the aforesaid order before the appropriate Court of law.

5. In view of the aforesaid development nothing remains to be adjudicated by this Court in the present case. Accordingly, contempt proceedings are dismissed. Notices, if any, are discharged.

6. However it is always open to the petitioner, if he aggrieved with the aforesaid order, to assail the order before the appropriate Court of law.

(Rajesh Singh Chauhan,J.)

Order Date :- 20.12.2023

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