

Court No. - 17

Case :- CONTEMPT APPLICATION (CIVIL) No. - 3335 of 2023

Applicant :- Vinay Kumar Mishra

Opposite Party :- Dr, Pradeep Kumar, Joint Director Education, (Incharge) Lko. And Another

Counsel for Applicant :- Km. Madhurima Bhargava

Hon'ble Manish Kumar,J.

Sri Surya Prakash Singh, District Inspector of Schools, Unnao is present and has filed a compliance affidavit which is taken on record.

Heard.

Learned counsel for the applicant has submitted that the present contempt application has been preferred for non compliance of the interim order dated 03.01.2023 passed in Writ A No. 27207 of 2021. The relevant extract of the judgment is quoted hereinbelow:-

"In the meanwhile, it is directed that the Joint Director, Education as well as DIOS, Unnao shall ensure payment of salary to respondent no.5 without coercing the petitioner to ensure joining of respondent no.5, in accordance with law. "

Learned Standing counsel has submitted that in compliance of the interim order dated 03.01.2023, the salary for the period since May, 2023 till November, 2024 has been paid to the applicant in his account, as such the order of the writ court has been complied with.

On the other hand, learned counsel for the applicant has submitted that the applicant is entitled for payment of salary of Rs. 9,60,502/-, whereas a sum of Rs. 9,25,147/- has been credited in the account of the applicant without assigning any reason of the deductions from the salary payable to the applicant.

The respondent no. 2 i.e. the DIOS has submitted that no deductions have been made and the payment has been made as per the calculation given by the Finance and Accounts Officer, after receiving the same from the Committee of Management.

After hearing learned counsel for the parties and going through the record of the case, the Court is satisfied that the interim order passed by the writ court has been complied with and if there is any dispute regarding the

amount of payment, the applicant is at liberty to raise the same before the writ court as the writ petition is still pending.

In view of above, the present contempt application is dismissed as infructuous with liberty, as aforesaid.

Notices, if any, stand discharged.

Order Date :- 19.12.2024

Nitesh