

Court No. - 17

Case :- CONTEMPT APPLICATION (CIVIL) No. - 4151 of 2024

Applicant :- Keshav Prasad Ojha

Opposite Party :- Shri Onkar Rana Dist. Inspector Of Schools Pratapgarh And Another

Counsel for Applicant :- Alok Kumar Tripathi

Hon'ble Manish Kumar,J.

Compliance affidavit has been filed by learned Standing counsel in the Registry yesterday enclosing therein the copy of the decision taken by the respondent no. 1 i.e. Shri Onkar Rana Dist. Inspector Of Schools Pratapgarh dated 10.12.2024 on the representation of the applicant, as directed by the writ Court, which has been called from the Registry and is taken on record.

Learned counsel for the applicant has submitted that the present contempt application has been preferred for non compliance of the judgment and order dated 03.05.2024 passed in Writ A No. 3458 of 2024. The relevant extract of the judgment is quoted hereinbelow:-

"In view of the above and without entering into the merits of the case, the petitioner is given liberty to move a fresh representation before the opposite party no. 3 within a period of two weeks from today and if such representation is moved, the opposite party no. 3 is hereby directed to consider and decide the same within further period of eight weeks after affording opportunity of hearing to all the stake holders."

Learned counsel for the applicant has submitted that the order passed by the respondent no. 1 i.e. Shri Onkar Rana Dist. Inspector Of Schools Pratapgarh is undated and without any number and is against the law.

In reply thereto, learned Standing Counsel has submitted that the order was passed on 10.12.2024 with details of order number and the photocopy of the same is provided to the learned counsel for the applicant today itself.

After arguing at some length, learned counsel for the applicant has submitted that for all practical purposes, the present contempt petition has become infructuous and the same may be dismissed as infructuous but liberty may be given to the applicant to challenge the decision taken by the respondent no. 1 on the representation of the applicant by filing a writ petition.

In view of above, the present contempt petition is dismissed as infructuous and it is always open for the applicant to avail the remedy, as may be permissible under law.

Notice issued earlier, if any, stand discharged.

Order Date :- 19.12.2024

Nitesh