



2025:JHC-1 K03:29811

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CONTEMPT APPLICATION (CIVIL) No. - 179 of 2020

Salees Ahmad

.....Applicant(s)

Versus

S.K.Agarwal Director Antarik Lekha Andpariksha
Nideshalayaandors

.....Opposite Party(s)

Counsel for Applicant(s)	:	Girish Chandra Verma, Rakesh Pal
Counsel for Opposite Party(s)	:	

Court No. - 8

HON'BLE MANISH KUMAR, J.

Shri Risabh Tripathi, Advocate has filed vakalatnama on behalf of respondent no. 7, which is taken on record.

Heard.

Present contempt application has been preferred for alleged non-compliance of the judgment and order dated 28.03.2019 passed in Writ Petition No. 1421 (S/S) of 1999. The relevant para of the said judgment and order is being reproduced hereinbelow:-

"10. In view of the aforesaid facts, the writ petition is allowed and a writ in the nature of Mandamus is issued to the opposite party no.2, i.e. the Finance Controller, Basic Education Board, U.P., Allahabad and opposite party no.3 Finance & Accounts Officer, Basic Skiksha, District Sitapur respectively to grant all service benefits to the petitioner as have been given to the opposite party no.4 w.e.f. 29.06.1993 when opposite party no.4 was promoted on the post of Assistant Accountant. The aforesaid is to be done on notional basis only with the refixation of pay scale being done w.e.f. the date the same has made admissible to the opposite party no.4. The aforesaid re-fixation of pay scale and consequential grant of enhanced pensionary benefits shall be made available to the petitioner within a period of six months from the date a copy of this order is produced before the said opposite parties."

Shri Risabh Tripathi, learned counsel for the respondent no. 7 has submitted that respondent no. 7 is adopting the compliance affidavit filed by the respondent no. 6 on 22.05.2024.

He has further submitted that the judgment and order passed by the Writ Court has been complied with while giving service benefits to the applicant, which were admissible to the respondent no. 4 w.e.f. 29.06.1993 when the respondent no. 4 was promoted to the post of Assistant Accountant and on the basis of which re-fixation

was done and papers have been forwarded to the Treasury for the purpose of payment to the applicant and the said documents have been filed alongwith the compliance affidavit.

On the other hand, learned counsel for the applicant has submitted that the pay fixation was made in the pay-scale of Rs. 22550/- whereas the payment has been made as per pay scale of Rs. 22520/- for the reason that the then respondent had wrongly been forwarded the papers for the purpose of payment of pension as per pay-scale of Rs. 22520/-.

In reply, learned counsel for the respondent no. 7 has submitted that the same has been corrected by passing the order dated 17.05.2024 and forwarded it to the Additional/Joint Director (Treasury), Pension, Faizabad, thus, as far as respondent no. 7 is concerned, the judgment and order of the Writ Court has been complied with.

After arguing at some length, the learned counsel for the applicant has very fairly submitted that the judgment and order passed by Writ Court has been complied with and for all practical purposes, the present contempt petition has become infructuous and the same may be dismissed as infructuous with liberty to the applicant to avail the remedy as available to the applicant as according to law for any grievance which he may still have.

As such, the present contempt application is **dismissed** as infructuous.

Notice, if any, is hereby discharged.

It is always open to the applicant to avail the remedies, as may be permissible under the law.

December 17, 2025
Ashish

(Manish Kumar,J.)