2026:AHC:212036

HIGH COURT OF JUDICATURE AT ALLAHABAD

CONTEMPT APPLICATION (CIVIL) No. - 7128 of 2026

Shiv Poojan Mishra

.....Applicant(s)

Versus

Shri Ashwini Kumar Gupta

.....Opposite Party(s)

Counsel for Applicant(s) : Shishir Kumar Dwivedi, Shruti Dwivedi

Counsel for Opposite Party(s) :

Court No. - 7

HON'BLE PIYUSH AGRAWAL, J.

Heard learned counsel for the applicant(s).

Vide order dated 12.10.2018 passed in Writ A No. 22512/2018 filed by the applicant(s), the writ Court directed as under:

" The respondent no.2 is the competent authority to verify the claim of the petitioner regarding the fixation of his pension. A writ of mandamus is issued to the respondent no.2 commanding him to decide the representation of the petitioner regarding correct fixation of his pension and the claim for arrears in accordance with law by a reasoned and speaking order. The said representation of the petitioner shall be decided within a period of four months from the date of receipt of certified copy of this order along-with fresh copy of the representation.

The Court has not gone into the veracity of the assertions in the writ petition nor has the claim of the petitioner been judged on merits. It is for the competent authority to do so after independent application of mind.

The writ petition is disposed of finally. "

Learned counsel for the applicant(s) submits that a certified copy of the aforesaid order was submitted for compliance before the opposite party(s), but the opposite party(s) has willfully not complied with the order and, thus, has committed civil contempt liable for punishment under

Section 12 of the Contempt of Courts Act, 1971.

Prima facie, a case of contempt has been made out for punishing the opposite party(s) for willful disobedience of the writ Court order. However, considering the facts and circumstances of the case, one more opportunity is accorded to the opposite party(s) to comply with the aforesaid order of the writ Court in its letter and spirit within **three months** from the date of production of a copy of this order.

The applicant(s) shall supply a duly stamped registered envelope addressed to the opposite party(s) and another self-addressed stamped envelope to the office within one week from today. The office shall send a copy of this order along with the self-addressed envelope of the applicant(s) with a copy of contempt application to the opposite party(s) within one week thereafter and keep a record thereof.

The opposite party(s) shall comply with the directions of the writ Court and intimate the applicant(s) of the order through the self-addressed envelop within a week thereafter.

With the aforesaid observations, this application is disposed of at this stage with liberty to the applicant(s) to move a fresh application, if the order is not complied with by the opposite party(s) within the stipulated time as aforementioned.

(Piyush Agrawal,J.)

October 9, 2026
Rahul Dwivedi/-

Digitally signed by :-
RAHUL DWIVEDI
High Court of Judicature at Allahabad