

(2011) 07 UK CK 0045

In the Uttarakhand High Court

Case No : Contempt Petition No. 237 of 2010

Dr. Jagdish Prasad

APPELLANT

Vs

Shri H.B. Bhatt and Others

RESPONDENT

Date of Decision : 14-07-2011

Acts Referred:

Citation : (2011) 07 UK CK 0045

Hon'ble Judges : V.K. Bist, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

V.K. Bist, J.—Heard learned Counsel for the parties.

2. This Contempt Petition has been filed by the Petitioner for punishing the opposite parties for not complying the order dated 18.09.2010 passed by Writ Court in Writ Petition No. 123 of 2010 "Dr. Jagdish Prasad v. State of Uttarakhand and others", by which the Respondents were directed to make payment of remuneration payable to the Petitioner, prior to the date of his relieving.

3. On 14.12.2010 notice was issued to the Respondent No. 1 asking his response within a period of four weeks. Petitioner was relieved for State of U.P. vide Government Order dated 17.08.2010. He handed over charge on 28.08.2010 and submitted his joining report to Uttar Pradesh Government on 31.08.2010. Learned Standing Counsel for the State/ Respondent Nos. 1 to 3, Shri Dinesh Gahtori submitted that since salary upto the month of August, 2010 has been paid to the Petitioner, therefore the order passed by this Court has been complied with.

4. On the other hand, learned Counsel for the Petitioner, Smt. Prabha Naithani submitted that order passed by this Court has not been complied in totality, as Time Scale as well as Promotional Pay Scale has not been paid to the Petitioner. She referred Office Memorandum dated 24.06.2011 written by the Principal Secretary, Medical Health, in which it is mentioned that the necessary papers for

grant of Time Scale as well as Promotional Pay Scale have been sent to the State of Uttar Pradesh and as soon as sanction is received, payment of dues will be made to the Petitioner.

5. In such circumstances, it is clear that the order passed by this Court has been complied with by the Respondents. The Contempt Petition is dismissed. Contempt notices issued to the Respondents are hereby discharged. However, it is expected that as soon as necessary orders for Time Scale as well as Promotional Pay Scale are passed and same are received by the Respondent No. 1, he will pass appropriate orders for the required payment to the Petitioner without any delay.