

Allahabad High Court

Smt. Vindu Gupta vs Shri Prem Narain Singh, Manager ... on 3 August, 2010

Court No. - 10

Case :- CONTEMPT APPLICATION (CIVIL) No. - 2619 of 2010

Petitioner :- Smt. Vindu Gupta

Respondent :- Shri Prem Narain Singh, Manager S.S.Balika I. College &
Ors.

Petitioner Counsel :- Prakash Padia

Respondent Counsel :- S.C.

Hon'ble Vikram Nath,J.

No one has put in appearance on behalf of the opposite party no.1, despite office report that notice has been served. Bailable warrants be issued to the opposite party no.1 for the next date.

Further Sri K. Shahi, Advocate has put in appearance on behalf of the opposite party no.2 and has filed a short counter affidavit stating that the opposite party no.2 has since retired on 30.6.2010. Presently Hriday Ram Azad is holding the charge of the D.I.O.S. Ballia. It would be open to the applicant to file an impleadment application. Further Sri Piyush Shukla, learned Standing Counsel has filed an affidavit of compliance on behalf of the opposite party no.3. From the averments made in the affidavit and the documents annexed thereto it is apparent that Rs.12,22,693/- being the arrears of salary for the period December, 1991 to December, 2005 has since been sanctioned by the opposite party no.3 vide order dated 30.7.2010 and the same is pending before the Chief/Senior Treasury Officer and D.I.O.S., Ballia/Allahabad.

Sri Shukla has submitted that two weeks time be allowed to ensure actual payment of the said amount to the applicant. It is in these circumstances that the opposite party no.3 is not present. As according to him he has complied his part. Time prayed for is allowed.

List this case on 25.8.2010. The opposite party no.1 shall remain present on the said date. In case actual payment is not made to the applicant of the aforesaid amount and an affidavit to that effect is not filed by the opposite party no.3, he shall also remain present before this Court.

Order Date :- 3.8.2010 RPS