

**THE UTTARAKHAND PUBLIC SERVICES TRIBUNAL
AT DEHRADUN**

CONTEMPT PETITION NO. C-12 /SB/2024

*(Arising out of judgment dated 07.03.2018, passed in
Claim petition No.33/DB/2017 & order dated
20.12.2022 passed in Misc. App. No. 02/DB/2021)*

Virendra Prasad Pant S/o Late Sri Umanand Pant aged about 78 years, retired Food Inspector, Office of Chief Medical Officer, Pauri, R/o House No. 192, Lane No. 1, Phase-II, Panditwadi, Dehradun.

.....Petitioner/Applicant

VS.

1. Dr. Rajesh Kumar, Secretary/ Principal Secretary, Medical and Health, Government of Uttarakhand, Secretariat, Subhash Road, Dehradun.
2. Dr. Vinita Shah, Director General, Medical, Health and Family Welfare, Uttarakhand, Sahastradhara Road, Near I.T.Park, Dehradun.
3. Dr. Praveen Kumar, Chief Medical Officer, Pauri Garhwal, Uttarakhand.
4. Accountant General, Accounts and Entitlement, Uttarakhand.

.....Respondents/O.Ps.

Present: Sri L.K.Maithani, Advocate, for the petitioner/ applicant.
Sri V.P.Devrani, A.P.O., in assistance of the Tribunal.

JUDGMENT

DATED: JUNE 12, 2024

Justice U.C.Dhyani (Oral)

Present contempt petition has been filed by the petitioner/applicant for punishing the respondents/ alleged contemnors for committing willful and deliberate disobedience of the judgment dated 07.03.2018 passed by the Tribunal in Claim petition No. 33/DB/2017, Virendra Prasad Pant vs. State of Uttarakhand and others and Order dated 20.12.2022 passed in Misc. Application No. 02/DB/2021.

2. Compliance affidavit has been filed by Dr. Saurav Bounthiyal, M.O., Primary Health Centre, Parsundakhal, Distt. Pauri, on behalf of respondents.

3. Ld. A.P.O. has prayed that contempt proceedings against the respondents may be dropped, inasmuch as the orders of the Tribunal have been complied with. He has placed a Cheque issued by the Chief Medical Officer, Pauri Garhwal, worth Rs. 1,58,139-00/- (one lakh fifty eight thousand one hundred thirty nine only) in favour of Sri Virendra Prasad Pant, petitioner. The cheque has been handed over to the petitioner, who is present in the Tribunal. Petitioner Sri Virendra Prasad Pant has been identified by Sri L.K. Maithani, Advocate.

4. Petitioner himself has moved an application for closing the contempt proceedings. He has filed an affidavit in support of his prayer.

5. Rule 50 of the Uttar Pradesh Public Services (Tribunal) Rules, 1992, reads as below:

“50. Initiation of proceedings.—(1) Any petition, information or motion for action being taken under the Contempt shall, in the first instance, be placed before the Chairman.

(2) The Chairman or the Vice-Chairman or such other Members as may be designated by him of this purpose, shall determine the expediency or propriety of taking action under the Contempt Act.”

[Emphasis supplied]

6. Since orders of the Tribunal have been complied with, compliance affidavit has been filed on behalf of the respondents and

petitioner himself is not interested in pursuing the contempt petition, therefore, the Tribunal does not feel it proper or expedient to take action against the respondents under the Contempt of Court Act.

7. The contempt petition is, accordingly, closed.

(JUSTICE U.C.DHYANI)
CHAIRMAN

DATE: JUNE 12, 2024
DEHRADUN

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