

**Court No. - 30**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 5507 of 2018

**Applicant :-** Uttar Pradeshiya Vidyalaya Nirikshak Sangh And Another

**Opposite Party :-** Prabhat Kumar And Another

**Counsel for Applicant :-** Kushmondeya Shahi, Grijesh Tiwari

**Connected with**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 5438 of 2018

**Applicant :-** R.P. Verma And Another

**Opposite Party :-** Prabhat Kumar And Another

**Counsel for Applicant :-** Kushmondeya Shahi

**Hon'ble Vivek Kumar Birla, J.**

Pursuant to the order dated 13.5.2019 the opposite party no. 2 is present.

Alongwith with affidavit misc. application has been filed to the effect that special appeal has been filed.

Learned counsel for the parties inform the Court that the special appeal defective was taken up today and notices have been issued on the delay condonation application and in delay condonation application three weeks time has been granted to file counter affidavit and the case is likely to come up in July, 2019.

In such view of the matter, one more opportunity is granted to the opposite party to comply with the order of the writ Court.

It is made clear that mere pendency of delay condonation application and the special appeal and for hearing of the special appeal on merits would not be a factor for postponing the contempt application further as mere pendency of the special appeal cannot be treated as any kind of interim order on the contempt proceedings.

As prayed by Sri K.R. Singh, learned Additional Chief Standing Counsel list this case on 29.7.2019. On which date the opposite party no. 2 shall remain present in the court in case the affidavit of compliance is not filed otherwise this Court will have no option but to frame charges against the opposite party.

**Order Date :-** 27.5.2019

Lalit Shukla