

**Court No. - 6****Case :-** CONTEMPT APPLICATION (CIVIL) No. - 1597 of 2023**Applicant :-** Vijay Kumar Gupta**Opposite Party :-** Sri Mangala Prasad Singh, D.M., Hardoi**Counsel for Applicant :-** Alam Singh, Anamika Shukla**Hon'ble Rajnish Kumar, J.**

Heard.

This application has been filed alleging non compliance of the order dated 22.02.2023 passed in Writ-A No.1310 of 2023; Vijay Kumar Gupta Versus State of U.P. and others.

By means of the said order the punishment order, appellate order and revisional order have been quashed on technical ground of violation of Rule 7(vii) of the Uttar Pradesh Government Servant (Discipline and Appeal) Rules, 1999 as oral inquiry had not taken place. It has also been kept open for the respondents that in case they so desire, to proceed afresh, after providing list of witnesses to the petitioner in charge-sheet and following the due process of law. The petitioner, as referred in the order dated 22 March 2023 of the Additional District Magistrate (Finance and Revenue), Hardoi has been reinstated by means of order dated 18.03.2023 passed by the District Magistrate and by means of order dated 22 March 2023 it has been provided that by means of order dated 18.03.2023 the petitioner has been reinstated and he has been kept in attachment as earlier providing therein that the petitioner shall get the subsistence allowance and the charge sheet has also been issued to the petitioner.

In view of above, this court is of the view that since the substantial compliance has been made and inquiry has been initiated as per the liberty granted by this court no contempt can be alleged at this stage. If the petitioner is aggrieved by the order passed by the District Magistrate and the Additional District Magistrate (Finance and Revenue) he may avail appropriate remedy as may be available under law.

The contempt application is, accordingly, **dismissed**.

**(Rajnish Kumar, J.)****Order Date :-** 25.5.2023/Banswar