

**IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL**

ON THE 31ST DAY OF MARCH, 2021

BEFORE:

HON'BLE SHRI JUSTICE MANOJ KUMAR TIWARI

CONTEMPT PETITION No. 506 of 2017

BETWEEN:

Sanyogita Kumari

...Petitioner

(By Mr. P.S. Bisht, Advocate)

AND:

Sri Pramod Dayal & another

... Opp. Parties

(By Mr. Parikshit Saini, Advocate)

JUDGMENT

This contempt petition has been filed by the petitioner, alleging wilful disobedience of the order dated 09.05.2017 passed by Writ Court in WPSS No. 1578 of 2015. By the said order, writ petition filed by Amit Kumar was dismissed and it was provided that Sanyogita Kumari (*petitioner herein*) shall be entitled for arrears of salary.

2. In this contempt petition, petitioner has alleged that petitioner has not been paid arrears of salary.

3. Mr. Parikshit Saini, learned counsel for the opposite parties has produced a letter dated 13.11.2017, which was sent by Principal, K.L.D.A.V. Inter College, Roorkee, District Haridwar to Finance & Accounts Officer, Haridwar. The same shall be kept on record.

4. Perusal of the document enclosed with the said letter indicates that a sum of ₹11,53,110/- was recommended to be paid to the petitioner.

5. Learned counsel for the opposite parties further makes a statement that after approval of the Finance & Accounts Office, a sum of ₹11,53,110/- has already been paid to the petitioner.

6. Mr. P.S. Bisht, learned counsel for the petitioner submits that she is entitled to a sum of ₹13,23,415/-, however, less amount has been paid to the petitioner.

7. Learned counsel for the opposite parties submits that after making necessary deductions, amount due to the petitioner has been paid.

8. The dispute, whether the entire payment of outstanding due of the petitioner has been made or not, cannot be decided in the contempt petition. Since substantial compliance of the order has been made, in the humble opinion of this Court, nothing survives in this contempt petition.

9. Accordingly, contempt petition is closed. Notices issued to the opposite parties are hereby discharged. However, petitioner shall be at liberty to approach appropriate forum, if any, of her grievance still survives.

(MANOJ KUMAR TIWARI, J.)