

VERDICTUM.IN

Court No. - 6

Case :- CONTEMPT APPLICATION (CIVIL) No. - 174 of 2015

Applicant :- Manyata Prapta Teachers Assoc.Basic
U.P.Thr.President Andors

Opposite Party :- Sri Hira Lal Gupta Secy.Deptt.Of Basic
Education And Others

Counsel for Applicant :- Dr. Ravi Kumar Mishra,Lalta Prasad
Misra,Padmesh Jain

Counsel for Opposite Party :- Jogendra Nath Verma,Ran
Vijay Singh,Upendra Nath Mishra

Hon'ble Irshad Ali,J.

**Civil Misc. Contampt Application No..... of 2023 dated
24.3.2023**

1. Heard.

1. Shri Deepak Kumar, Principal Secretary, Department of Basic Education, Government of U.P., Civil Secretariat, Lucknow was directed to present in person after framing of charge, but he has moved an application for exemption from personal appearance on the the following grounds:

"5. That vide said order, the Hon'ble Court ha fixed the personal appearance of the deponent on 27.03.2023. The deponent is out of Headquarter from 24.03.2023 to 29.04.2023 due to extremely personal and unavoidable circumstances, in such a situation, the deponent is not in a position to appear before the Hon'ble Court on 27.03.2023."

2. It is very unfortunate that officer of the rank of Principal Secretary is taking the order of this Court in very casual manner in a contempt proceedings initiated against him. The act of Shri Deepak Kumar, Principal Secretary is not acceptable.

3. Accordingly, issue non-bailable warrant of arrest to Shri Deepak Kumar, Principal Secretary, Department of Basic Education, Government of U.P. Civil Secretariat, Lucknow fixing 10.4.2023.

4. List the main application on 10.4.2023, on which date the officers who are present today in Court, shall also appear in person before this Court.

5. In the result, the application for exemption of personal

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appearance is **rejected**.

6. The Senior Registrar of this Court is directed to serve copy of this order passed today in Court through Chief Judicial Magistrate, Lucknow.

Order Date :- 27.3.2023

GK Sinha