

Court No. - 17

Case :- CONTEMPT APPLICATION (CIVIL) No. - 341 of 2024

Applicant :- Ms. Manjari Singh

Opposite Party :- Sri Ajay Kumar Srivastava, M.D. And Chief Executive Officer, I.O.B., Chennai And Another

Counsel for Applicant :- Alok Mishra

Counsel for Opposite Party :- Avinash Chandra, Avinash Chandra

Hon'ble Rajeev Singh, J.

1. Heard learned counsel for the applicant and learned counsel for the respondents.
2. The present application has been filed with the prayer to summon and prosecute the respondents for deliberately and willfully defying the order dated 07.08.2023 passed by Writ Court in Writ A No.4643 of 2023; Ms. Manjari Singh Vs. Union of India and Ors.
3. Shri Avinash Chandra, learned counsel for respondents submitted that affidavit of compliance duly sworn in by respondent no.3- Shri Dileep Kumar Barik, General Manager, Human Resources Management Department, Indian Overseas Bank, Central Office, Chennai has already been filed on 30.05.2024. He also submitted that the order of Writ Court has already been complied with and formal order has been passed in terms of the direction passed by the Writ Court on 12.09.2023.
4. Learned counsel for the applicant filed rejoinder affidavit to the affidavit of compliance dated 30.05.2024 which is taken on record. He submitted that the Writ Court has quashed the termination order as well as the appellate order and after quashing the same, it was obligatory on the part of the respondents to issue formal order for resuming the services of the applicant. He also drew attention of this Court on Rule 20(1)(E) of Indian Overseas Bank Officers Service (Rules and Regulations), 1979 and submitted that admittedly, no formal order was passed after the judgment and order passed by the Writ Court and without giving opportunity of hearing, service of the applicant was terminated and the service of the applicant has again been terminated. He also submitted that second termination order was rightly passed without passing of order related to resumption of service of the applicant.
5. Considering the submissions of learned counsel for the

parties, going through the contents of application as well as affidavit of compliance and rejoinder affidavit, as it is evident that the order of Writ Court has not been complied and and service of the applicant has been terminated again, therefore, affidavit of compliance dated 30.05.2024 is hereby **rejected**.

6. Learned counsel for the applicant also requested that he may be permitted to implead Shri Dileep Kumar Barik, General Manager, Human Resources Management Department, Indian Overseas Bank, Central Office, Chennai as respondent no.3 in the array of respondents in the memo of application.

7. The prayer made is allowed.

8. Learned counsel for the applicant is permitted to carry out necessary impleadment in the memo of contempt application, forthwith.

9. List this case on **12.08.2024 within to ten cases**.

10. On the next date, newly impleaded respondent no.3 shall file affidavit of compliance, failing which, he shall appear in person before this Court for framing of charge.

Order Date :- 23.7.2024

V. Sinha