

**Court No. - 17**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 640 of 2025

**Applicant :-** Dr. Gyanmanjary Rao And 2 Others

**Opposite Party :-** Dr. Sanjay Singh, Dir. General U.P. Council Of Agricultural Research Lko.

**Counsel for Applicant :-** Gaurav Mehrotra, Ambrish Singh Yadav, Shhreiya Agarawal

**And**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 355 of 2025

**Applicant :-** Dr. Ambreesh Singh Yadav

**Opposite Party :-** Dr. Sanjay Singh, Director General U.P. Council Of Agricultural Research, Lko.

**Counsel for Applicant :-** Ayush Chaudhary, Rakesh Kumar Chaudhary

**Counsel for Opposite Party :-** Dr. Pooja Singh, Kuldeep Pati Tripathi

**And**

**Case :-** CONTEMPT APPLICATION (CIVIL) No. - 356 of 2025

**Applicant :-** Dr. Balvir Singh

**Opposite Party :-** Dr. Sanjay Singh Director General U.P. Council Of Agricultural Research Lko.

**Counsel for Applicant :-** Rakesh Kumar Chaudhary, Ayush Chaudhary

**Counsel for Opposite Party :-** Dr. Pooja Singh, Kuldeep Pati Tripathi

**Hon'ble Rajeev Singh, J.**

1. All these applications arise out of identical issue and, hence, are being heard together and with the consent of learned counsel for both the parties, following common order is being passed.

2. Heard Shri Gaurav Mehrotra, Ayush Chaudhary, Shri Ambrish Singh Yadav and Ms. Shhreiya Agarawal, learned counsel for the applicants and Shri Kuldeep Pati Tripathi, learned Senior Counsel assisted by Dr. Pooja Singh, learned counsel for the respondent.

3. These applications (Contempt Application (Civil) Nos. 640 of 2025, 355 of 2025 and 356 of 2025) under Section 12 of the Contempt of Courts Act have been filed alleging wilful disobedience of the

judgment and order dated 09.07.2024 passed in Writ-A No. 5091 of 2024, order dated 08.08.2024 passed in Writ-A No. 2760 of 2024 and order dated 08.08.2024 passed in Writ-A No. 2758 of 2024, respectively.

4. Learned counsel appearing for the applicants submits that the Uttar Pradesh Council Agricultural Research (hereinafter referred to as 'UPCAR') is an autonomous body, which is a Society registered under the provision of Societies Registration Act, 1860, funded by the State Government. The Governing Body of UPCAR enacted the Uttar Pradesh Krishi Anusandhan Parishad General Service Regulations under Article 34(e) of the Article of Association and Rules of UPCAR, whereby regulating the recruitment to posts and to provide for general conditions of service of persons serving in UPCAR.

It is further submitted that on 16.05.2014, a request was made to the State Government for granting approval for filling vacancies, which had accrued in the Scientific/Technical and Ministerial cadre of UPCAR, in response to which, the State Government vide letter dated 4<sup>th</sup> July, 2014 informed that His Excellency, the Governor, U.P. had granted approval to fill 20 vacancies in the Scientific/Technical and ministerial cadre in UPCAR. The said approval was placed before the Governing body/Management Committee, UPCAR in its meeting convened on 27.08.2015, which accepted the approval and proceeded for filling up the vacancies. Thereafter, the advertisement was issued on 01.10.2014 and selection process was done by conducting written examination and interview on 09.04.2015. It is also submitted that thereafter, the selected candidates were allowed to resume the duties and appointment letter was also given to them on 09.04.2015, i.e., on the same day.

5. Learned counsel for the applicants next submits that vide letter dated 24<sup>th</sup> July, 2017, the State Government directed Mr. Hemant Rao, then Principal Secretary, Science and Technology, Government of U.P. to conduct enquiry of the aforesaid selection process, which was conducted by the said Officer and submitted the enquiry report on 08.03.2019 to the Principal Secretary, Department of Agriculture Education and Research, Government of U.P., mentioning irregularities in the said selection process.

Submission of the learned counsel for the applicants is that though the services of the applicants were satisfactory and they were continuously

working, but vide letter dated 04.07.2019, Mr. Kali Prasad Sharma, Under Secretary, Department of Agriculture and Research, Governing of U.P. directed the UPCAR to issue speaking termination order of the candidates, who were selected on 09.04.2015 and to submit a report within 25 days. It was also directed to file a caveat before the High Court.

**Letter No. रा0पा014/67-कृशिअ-19-700(1)/16 dated 04.07.2019 is as under:**

(46)

IN THE HON'BLE HIGH COURT OF JUDICATURE AT  
ALLAHABAD, SITTING AT LUCKNOW  
C.P.L. No. of 2024  
Gyanmanjary Versus State of U.P.  
Annexure no.

**गोपनीय**  
**शीर्ष प्राथमिकता / समयबद्ध**  
**संख्या-रा0पा0 14/67-कृशिअ-19-700(1)/16**

प्रेषक, काली प्रसाद शर्मा,  
अनु सचिव,  
उत्तर प्रदेश शासन।

लेवा में, महानिदेशक  
उ0प्र0 कृषि अनुसंधान परिषद,  
गोमती नगर, लखनऊ।

शुद्ध शिक्षा एवं अनुसंधान अनुभाग लखनऊ, दिनांक: 04 जुलाई, 2019

विषय:- उ0प्र0 कृषि अनुसंधान परिषद, लखनऊ में विभिन्न पदों पर किये गये चयन में हुई अनियमितता के फलस्वरूप नियुक्तियों को निरस्त करने एवं उत्तरदायी अधिकारियों/कर्मचारियों के विरुद्ध कार्यवाही किये जाने के संबंध में।

महोदय,

उपर्युक्त विषय के संबंध में अद्यतन कराना है कि श्री राजेन्द्र कुमार, पूर्व महानिदेशक, उ0प्र0 कृषि अनुसंधान परिषद, लखनऊ व अन्य के विरुद्ध प्राप्त गम्भीर 17 शिकायतों की जाँच हेतु पत्र संख्या-1594/67-कृशिअ-17-700(1)/16, दिनांक 24.07.2017 द्वारा श्री हेमन्त राव, तत्कालीन प्रमुख सचिव, विज्ञान एवं प्रौद्योगिकी विभाग, उ0प्र0 शासन सम्प्रति अपर मुख्य सचिव श्री राज्यपाल, उ0प्र0 को जाँच अधिकारी नियुक्त किया गया। कार्मिक अधिकारी के पद पर चयन हेतु हुई अनियमितता की जाँच आख्या पत्रांक-149/पी0एस0/एस0एन0टी0/2018, दिनांक 27.04.2018, कनिष्ठ सहायक के पद पर जाँच आख्या पत्रांक-178/पी0एस0/एस0एन0टी0/2018, दिनांक 05.06.2018 तथा वैज्ञानिक अधिकारी, महानिदेशक के निजी सचिव, तकनीकी सहायक कार्मिक अधिकारी, अभिलेख सहायक कम लाईब्रेरियन एवं आर्शुलिपिक के पद पर की गयी भर्ती के संबंध में पत्रांक-पी0एस0 62/एस0सी0एस0/2019, दिनांक 08.03.2019 द्वारा जाँच आख्या उपलब्ध करायी गयी।

2- जाँच अधिकारी के उक्त पत्र दिनांक 27.04.2018 तथा 05.06.2018 द्वारा उपलब्ध करायी गयी जाँच आख्या के संबंध में सचिव, उपकार की आख्या प्राप्त की गयी। उक्त पत्रों के क्रम में सचिव, उपकार के पत्रांक-299/345/पी0ओ0/जाँच/शासन/2018, दिनांक 03.07.2018 तथा पत्रांक-33/346/पी0ओ0/जाँच/शासन/2018, दिनांक 03.04.2019 द्वारा अभिमत उपलब्ध कराया गया, जिसमें कार्मिक अधिकारी तथा कनिष्ठ सहायकों के पदों पर की गयी अवैध भर्तियों के फलस्वरूप चयनित कार्मिकों को पदच्युत किये जाने तथा उक्त भर्तियों में हुई अनियमितताओं के लिए उत्तरदायी तत्कालीन महानिदेशक प्रो0 राजेन्द्र कुमार के विरुद्ध शासन स्तर से कार्यवाही किये जाने का अभिमत दिया गया।

3- जाँच अधिकारी द्वारा उपलब्ध करायी गयी जाँच आख्याओं के परिशीलनोंपरांत यह पाया गया कि उपकार के विभिन्न पदों की नियुक्तियों के आशय का आदेश शासन द्वारा दिनांक 24.12.2014 को जारी किया गया। उक्त तिथि के पूर्व ही उपकार द्वारा विज्ञापन सं0-02/2014 दिनांक 01.10.2014 को निर्गत कर दिया गया है। इस प्रकार शासन की अनुमति के बगैर निर्गत किया गया है। वैज्ञानिक संवर्ग हेतु उपकार में निर्धारित आयु सीमा में परिवर्तन करते हुये विज्ञापन संख्या-2/2014 दिनांक 01.01.2014 को निर्गत कर दिया गया और उसके पश्चात् दिनांक 21.11.2014 को परिषद स्तर पर समिति गठन कर उक्त परिवर्तित आयु सीमा निर्धारित करने पर निर्णय लिया गया। इस प्रकार आयु का निर्धारण विज्ञापन जारी करने के पश्चात् किया जाना अनियमित है। चयन हेतु स्क्रीनिंग कमेटी द्वारा नियमों में अनियमितता की गयी है, परीक्षा के प्रश्न पत्र का निर्धारण न कराकर मनमाने ढंग से किया जाना, लिखित परीक्षा में प्रदर्शिता न होना, लिखित उत्तर पुस्तिकाओं के नियुक्त मूल्यांकनकर्ताओं को जिस दिन मूल्यांकन होना था उसी दिन मूल्यांकन का आदेश दिया जाना और उसी दिन मूल्यांकन पूर्ण हो जाना यह भी तब जब मूल्यांकनकर्ता लखनऊ के बाहर के हो, विभिन्न पदों के गठित साक्षात्कार आदेश उसी दिन जारी किये गये जिस तिथि को निर्धारित था, साक्षात्कार समिति एवं अध्यक्ष जो लखनऊ से बाहर यथा दिल्ली, जयपुर मेरठ लुधियाना, कानपुर, फैजाबाद आदि स्थानों से होने के बावजूद आ जाना पूर्ण रूप से अव्यवहारिक है। चयन समिति की संस्तुति पर महानिदेशक का अनुमोदन दिनांक 09.04.2015 को प्राप्त कर दिनांक 09.04.2015 को नियुक्ति पत्र निर्गत किया जाना। 03 वैज्ञानिकों द्वारा दिनांक 09.04.2015 को योगदान दे देना एवं 02 वैज्ञानिकों द्वारा क्रमशः दिनांक 13.04.2015 तथा 15.04.2015 को योगदान दिया जाना दर्जाना है कि मुख्य प्रक्रिया में व्यक्ति विशेष को नियुक्त करना पूर्व नियोजित था।

COMMISSIONER FOR FORENSIC  
HIGH COURT, Allahabad

(47)

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तकनीकी सहायक संवर्ग के 08 पदों पर नियुक्ति की संस्तुति की गयी, जिस पर दिनांक 09.04.2015 को महानिदेशक का अनुमोदन उसी दिन नियुक्ति पत्र जारी एवं उसी दिन 07 अभ्यर्थियों द्वारा कार्यभार ग्रहण कर लिया गया आदि के आधार पर जॉच अधिकारी ने अपने निष्कर्ष में कहा है कि सुनियोजित ढंग से नियुक्तियों में हेरा-फेरी एवं अनियमितता करने हेतु शैक्षिक मानकों में शिथिलता प्रदान करने, नियमों से इतर छूट प्रदान करने की प्रक्रिया में मुख्य भूमिका निभाने के लिए डा0 संजीव कुमार, सहायक महानिदेशक डा0 सुजीत कुमार, वैज्ञानिक अधिकारी तथा नियुक्ति की सम्पूर्ण प्रक्रिया में हेरा फेरी करने के लिए प्रशासनिक अधिकारी डा0 जयपाल, डा0 आई0एन0 मुखर्जी तत्कालीन सचिव, उपकार, श्री देशराज सिंह, आशुलिपिक, वित्त एवं लेखाधिकारी एवं तत्कालीन महानिदेशक प्रो0 राजेन्द्र कुमार पूर्ण रूप से जिम्मेदार हैं। जॉच अधिकारी द्वारा उपलब्ध करायी गयी जॉच आख्या दिनांकित 27.04.2018, 05.06.2018 तथा 08.03.2019 में विज्ञापन संख्या-2/2014, 1/2015, 2/2015 तथा 3/2015 के फलस्वरूप निम्न पदों पर नियुक्ति की कार्यवाही अवैधानिक पायी गयी है:-

क्र.सं.	पदनाम	पदों की संख्या
1	वैज्ञानिक अधिकारी	6
2	तकनीकी सहायक	9
3	आशुलिपिक	3
4	कनिष्ठ सहायक	4
5	निजी सचिव महानिदेशक	1
6	कार्मिक अधिष्ठान	1
7	अभिलेख सहायक/लाइब्रेरियन	1
	योग	25

4- इस संबंध में जॉच अधिकारी के उक्त पत्र दिनांक 27.04.2018, 05.06.2018 तथा 08.03.2019, की छायाप्रति संलग्न कर प्रेषित करते हुये मुझे यह कहने का निदेश हुआ है कि उक्त जॉच आख्या में विज्ञापनों के फलस्वरूप की गयी सम्पूर्ण घयन प्रक्रिया ही दूषित है। अतः उपर्युक्त प्रस्तर-3 में उल्लिखित पदनाम/पदों की संख्या के विरुद्ध की गयी नियुक्तियों को उ0प्र0 कृषि अनुसंधान परिषद के सामान्य सर्विस रेगुलेशन के नियम-23 में निहित प्रावधानों के अंतर्गत पदधारकों की सेवायें समाप्त कर निरस्त करने एवं उत्तरदायी अधिकारी/कर्मचारी के विरुद्ध कार्यवाही करने का कष्ट करें। सेवा समाप्ति के स्पष्ट सकारण मुखरित आदेश निर्गत किये जायें। तदोपरान्त मा0 उच्च न्यायालय में कैविएट लगा दिये जाय। प्रकरणों में प्रभावी कार्यवाही समयबद्ध ढंग से सुनिश्चित करते हुये प्रगति आख्या कृपया शासन को 25 दिनों के अंदर उपलब्ध कराने का कष्ट करें।

संलग्नक-यथोक्त।

भवदीय,

( काली प्रसाद शर्मा )  
अनु सचिव।

संख्या-रा0पा0 14(1)/67-कृशअ-19, तदुदिनांक।

प्रतिलिपि श्री हेमन्त राव, अपर मुख्य सचिव, श्री राज्यपाल, उ0प्र0 (जॉच अधिकारी) को कृपया सूचनार्थ प्रेषित।

आज्ञा से,

( काली प्रसाद शर्मा )  
अनु सचिव।



6. In pursuance of the direction of the State Government issued vide aforesaid letter No. Ra Pa 14/67-Krishia-19-700(1)/16 dated 04.07.2019, order for cancellation of the appointment of the applicants was passed by Mr. Brijendra Singh, then Director General, UPCAR on 14.08.2020 and same was communicated to the employees.

Learned counsel for the applicants submits that against the aforesaid action of the respondents, the applicants along with other persons preferred several petitions, leading of which was Writ-A No. 18951 of 2020 and vide order dated 16.05.2023, the order dated dated 14.08.2020 was quashed. Order dated 16.05.2023 is reproduced hereunder.

"1. All the writ petitions involve the similar question and challenge a common order as such are being decided by means of this common order.

2. For the sake of brevity, the facts of Writ A No. 18951(S/S) of 2020 are being taken into consideration.

3. The petition has been filed by the petitioners challenging the order dated 14.8.2020 whereby the services of the petitioners were terminated, on the basis of the report submitted by the State Government on 4.7.2019 wherein the State Government had given opinion that the entire process of selection was vitiated on account of irregularities committed while making appointments.

4. When the matter was argued, this Court passed the following order on 3.11.2020 in Writ A No. 18951(S/S) of 2020 wherein the five issues were crystallized for deciding the list in between the parties:

"Heard Mr. Gaurav Mehrotra learned counsel for petitioner, learned State Counsel appearing for opposite parties 1 and 2 and Mr. Prashant Singh Atal learned counsel appearing for opposite parties 3 to 5.

Petitioners have challenged the impugned orders whereby not only their selection in the institution in question held in the year 2015 but their services have also been terminated. Learned counsel for petitioner submits that the aforesaid impugned orders are bad in law in view of the fact that; (a) The orders impugned have been passed by the appointing authority i.e. Director General, on the dictates of the State Government, without application of independent mind. (b) No opportunity of hearing whatsoever has been provided to the petitioners prior to passing of the impugned orders although the preliminary inquiry is said to have been completed on 4th July, 2019 whereas the impugned orders have been passed more than one and half years later. (c) Even if there was some illegality or irregularity with the selection process, the list of candidates without any objection could have segregated from the irregular ones instead of cancelling the entire selection process. (d) Initially the candidates were appointed on one year probation, which was extendable by another year. The aforesaid period having been completed by the petitioners, they attained regular status and were therefore not to be terminated under Rule 23 of the service

rules treating them to be temporary employees. (e) Approval for filling up the post had already been granted by the State Government for 20 posts prior to issuance of advertisement and approval for only five posts was granted subsequently during the selection process.

Learned counsel appearing on behalf of opposite parties at present do not have any written instructions to rebut the submissions of learned counsel for petitioner. As such they are granted two days' time to seek written instructions with regard to the aforesaid submissions of learned counsel for petitioner.

List on 9th November, 2020 as a fresh along with writ petition No. 19010 (S/S) of 2020 and 19011 (S/S) of 2020 in the additional list."

5. Considering the initial submission made by Shri Gaurav Mehrotra, learned counsel for the petitioner that impugned order has been passed solely based upon the report dated 4.7.2019, which was never supplied to the petitioners prior to passing of the order nor was any opportunity of hearing given to the petitioners while dispensing with the services. He argues that the said order has resulted in violation of principle of natural justice more so as the petitioners were working for almost more than five years after their appointment in pursuance to the selection.

6. He further argues that the State Government has no power to conduct any inquiry in terms of the provisions of the respondent-Society which is governed by Memorandum of Association and Rules framed thereunder.

7. Rebutting the first submission, that the order impugned has resulted in violation of principle of natural justice, learned Standing Counsel, in support of the order impugned, argues that a detailed inquiry was conducted and the entire reports was submitted to the respondent no. 4 who proceeded to pass the order in view of the gravity of the findings recorded in the inquiry report and thus, requires no interference.

8. Shri Prashant Singh, learned counsel for the respondent nos. 3, 4 & 5 argues that the order has been passed taking into consideration the report of the State Government, however, he does not deny the averment that the order has been passed without giving any opportunity of hearing to the petitioners or without providing a copy of the inquiry report recorded in the impugned order.

9. Considering the material on record, it is clear that the order has been passed solely based upon the report dated 4.7.2019 without providing either a copy of the report or any opportunity of hearing, considering the fact that the petitioners were working for more than almost five years and an expropriatory order has been passed against them, it was mandatory on the part of the respondents to at least have provided the material collected against the petitioners in the form of the inquiry report and after giving a proper opportunity of hearing which clearly has not been done as is evident from the order dated 14.8.2020. Thus, on the said limited ground alone, the order dated 14.8.2020 passed in respect of the petitioners is quashed.

10. The respondents, if so advised, may pass fresh order against the petitioners, however, while doing so, it would be obligatory on the part of the respondents to supply a copy of the inquiry report or any other material that may be available with the

respondents. The respondents shall further give reasonable opportunity of hearing including the opportunity of filing objections on whatever ground the petitioners may desire to do so.

11. It is made clear that the petitioners shall cooperate at all levels. In case the petitioners do not cooperate, the respondents would be entitled to take action against the petitioners in terms of Rules and Regulations applicable to the petitioners.

12. The writ petition is, accordingly, disposed off."

7. Shri Gaurav Mehrotra vehemently submits that despite quashing of the order of cancellation of appointment dated 14.08.2020 by the writ Court, the applicants were not allowed to resume the duties. It is also submitted that when the order of writ Court dated 16.05.2023 was communicated to the competent authority on 23.05.2023, show cause notices were issued by the authority concerned on 09.08.2023, 23.08.2023, 24.08.2023 and 28.08.2023. It is next submitted that when no order was passed despite giving reply to the aforesaid show cause notices, Contempt Application No. 316 of 2024 was preferred. Thereafter, without considering the reply to the show cause notice, the respondent-Dr. Sanjay Singh, Director General, UPCAR, Lucknow vide order dated 13.02.2024 terminated the services of the applicants in terms of the earlier order dated 04.07.2019 (supra). The said order dated 13.02.2024 was also communicated to Additional Chief Secretary, Department of Agriculture Education and Research, Governing of U.P.

Both the aforesaid orders, i.e., order dated 04.07.2019 passed by Under Secretary, Department of Agriculture and Research, Governing of U.P. as well as order dated 13.02.2024 passed by the respondent-Director General, UPCAR, Lucknow were challenged by the applicants of Contempt Application No. 640 of 2025 before the writ Court in Writ-A No. 5091 of 2024 and after hearing learned State Counsel as well as Shri Himanshu Shekhar, learned counsel appearing for UPCAR, the writ Court vide order dated 09.07.2024, stayed the operation of the orders dated 04.07.2019 and 13.02.2024.

8. Learned counsel for the applicants submits that even then, the applicants were not allowed to resume the duties, due to which, the present contempt applications have been preferred. It is vehemently submitted that though the interim order dated 09.07.2024 was passed after hearing the learned counsel for both the parties and on the basis of instructions provided by the authorities, the stay vacation application was filed in the said case, i.e., Writ-A No. 5091 of 2024. However, neither

the respondents are ensuring the compliance of the directions of the writ Court nor they are pursuing for the disposal of the said stay vacation application.

9. It is also informed that despite there being a provision in the High Court Rules to move application for expedite disposal of the cases before Hon'ble the Chief Justice/Hon'ble Senior Judge, but in spite of moving any such application, an application for deferment of the contempt proceedings was filed by the respondent in present Contempt Application No. 640 of 2025, which was rejected vide order dated 19.05.2025. When the matter was taken up on the next date, i.e., on 28.07.2025, it was informed by Shri Kuldeep Pati Tripathi, learned Additional Advocate General that against the order passed by this Court, Special Leave to Appeal (Civil) Nos. 20395-20396 of 2025 were preferred before the Hon'ble Supreme Court. On the request of the Additional Advocate General, the matter was posted for today. Order dated 28.07.2025 is as under.

"1. On 19.05.2025, following order was passed:

"1. Heard Shri Gaurav Mehrotra, learned counsel for the applicants and Dr. Pooja Singh, learned counsel appearing for the respondent.

2. Application for deferment of the contempt proceedings duly sworn by Dr. Sanjay Singh, Director General has been filed by Dr. Pooja Singh, learned counsel appearing for the respondent on the ground that a stay vacation application is pending in the writ petition.

3. Sri Gaurav Mehrotra, learned counsel submits that the interim order was passed after hearing learned counsels for both the parties, hence, judgment relied by the respondent's counsel is not applicable in the present case.

4. Accordingly, the application for deferment of the contempt proceedings is hereby rejected.

5. List on 28.07.2025 within top ten cases.

6. By the next date, the respondent shall file affidavit of compliance, failing which, he shall appear in person before this Court. "

2. In pursuance of earlier order, opposite party-Dr. Sanjay Singh, Dir. General U.P. Council Of Agricultural Research, Lucknow is present before this Court.

3. Shri Kuldeep Pati Tripathi, learned Additional Advocate General assisted by Shri Prashant Singh Atal, learned Chief Standing Counsel filed application for deferment of contempt proceedings duly sworn by opposite party and submitted that SLP (Civil) No.20395-20396/2025 was filed before the Hon'ble Supreme Court challenging the order of this Court. He further submitted that it is telepathically informed by Ms. Chitragda Rastravara, AOR that the stay order has been passed in the aforesaid SLP.

Therefore, the contempt proceedings may be deferred till the disposal of the aforesaid SLP.

4. List this case on 31.07.2025 in terms of earlier order.”

10. Today, application for deferment of contempt proceedings in all the 3 contempt applications has been filed by the respondent annexing the order dated 28.07.2025 passed by Hon’ble Supreme Court in Special Leave to Appeal (Civil) Nos. 20395-20396 of 2025, which is taken on record.

It is informed by Shri Kuldeep Pati Tripathi that against the order dated 10.07.2025 passed in Contempt Application Nos. 355 of 2025 and 356 of 2025, Special Leave to Appeal (Civil) Nos. 20395-20396 of 2025 were preferred before the Hon’ble Supreme Court, which were disposed of vide order dated 28.07.2025 with the observation that the petitioner (respondent herein) would be at liberty to raise all the points, which he had raised before the Hon’ble Supreme Court (in his reply for deferment of the case), including the fact that they had already filed an application for vacation of interim order dated 09.07.2024 along with the counter affidavit which were still under consideration.

11. Shri Kuldeep Pati Tripathi, learned counsel appearing for the respondent, however, does not dispute the fact that the order passed in Contempt Application No. 640 of 2025 has not been challenged in any proceedings. However, he submits that there is evidence of conducting ghost interview in the selection process in question. Learned counsel for the respondent also submits that written examination as well as interview of 20 persons in the said selection process were held in the same day, i.e., on 09.04.2015. It is next submitted that the stay vacation application of the interim order dated 09.07.2024 is pending since 03.09.2024 and though the petition was listed on several dates, but the same could not be taken up. The said petition, i.e., Writ-A No. 5091 of 2024 was lastly listed on 28.07.2025. Relying on the decision of the Hon'ble Apex Court in the case of **S.B. Shiradkar & Anr. Vs. Chandra Bhan Singh** (Special Leave to Appeal Nos. 9798-9799 of 2024), learned counsel for the respondent submits that, in case, stay vacation application is pending and the same is not being disposed of on account of huge pendency, the presence of the Officer(s) in the contempt proceedings needs to be exempted till the application for stay vacation is not decided. It is lastly submitted that vide order dated 09.07.2024, the writ Court only stayed the operation of the orders dated 04.07.2019

and 13.02.2024 and there is no direction for allowing the applicants to join the duties. It is, thus, submitted that the contempt proceedings may be deferred.

12. At this stage, Shri Gaurav Mehrotra, relies on the decision of the Hon'ble Apex Court in the case of **Anantdeep Singh Vs. High Court of Punjab & Haryana & Anr.** (Civil Appeal No. 3082 of 2022) and while referring to para 21 of the said judgment, submits that once the termination order has been stayed, the employee is deemed to be in service. Learned counsel for the applicants vehemently submits that in the present case, even the order for cancellation of the appointment, which was passed on the dictate of the State Government, has already been set aside in bunch of petitions, leading of which is Writ-A No. 18951 of 2020.

13. Considering the submissions advanced by the learned counsel for the applicants, learned counsel for the respondent and going through the order passed by the writ Court as well as contents of the deferment application filed today, it is undisputed that in pursuance to the letter dated 04.07.2019 issued by the State Government, Director General, UPCAR passed the order of cancellation of appointment on 14.08.2020. Vide said letter dated 04.07.2019, it was also directed to communicate the order for cancelling the appointment to the State Government within a period of 25 days, which was complied by the authority concerned. It is also evident the aforesaid orders dated 04.07.2019 and 14.08.2020 were challenged before the writ Court various petitions, leading being Writ-A No. 18951 of 2020 and vide order dated 16.05.2023, order dated 14.08.2020 was set aside with the direction to authorities to pass fresh orders after considering the reply given by the applicants/petitioners. It is further evident that again a fresh order was passed by the respondent on 13.02.2024 without considering the reply of the applicants and the said order was also communicated to the State Government. Thereafter, Writ-A No. 5091 of 2024 was filed, in which, after hearing the learned counsel for both the parties, the writ Court vide order dated 09.07.2024, the operation of the letter dated 04.07.2019 and 14.08.2020 was stayed by the writ Court. It is also evident that after about two months from the date of stay order, the stay vacation application was filed by the respondent, which is pending.

It is undisputed that no application for expedite the hearing of the said

petition has been filed by the respondent under the High Court Rules. Further, on the same set of facts, the deferment application filed earlier has already been rejected by this Court vide order dated 19.05.2025.

14. In view of above facts and discussions, following charge is framed against the respondent/contemnor under Section 12 of the Contempt of Courts Act, 1971:

**“Why the respondent/contemnor- Dr. Sanjay Singh, Director General, U.P. Council of Agricultural Research, Lucknow, be not punished for willful and deliberate disobedience of the judgment and order dated 09.07.2024 passed in Writ-A No. 5091 of 2024, order dated 08.08.2024 passed in Writ-A No. 2760 of 2024 and order dated 08.08.2024 passed in Writ-A No. 2758 of 2024.”**

15. List this case on 18.08.2025 for filing reply to the charge.

16. The respondent, who is present before this Court, shall again appear on the next date for appropriate orders.

**Order Date :- 31.7.2025**

VKS