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**Central Administrative Tribunal
Principal Bench, New Delhi.**

**CP 439/2012
IN
OA-1179/1992**

New Delhi this the 22nd day of August, 2012.

**Hon'ble Sh. G. George Paracken, Member (J)
Hon'ble Sh. Sudhir Kumar, Member (A)**

Ram Singh
S/o Shri Jai Ram
R/o A-33, Sadatpur,
New Colony, Delhi-110094.

...Petitioner

▼ (By Advocate : Shri Ashok Barnwal)

Versus

1. Union of India
Through Secretary (Smt.Anshu Vaish)
Ministry of HRD (Dept. of Education)
Shastri Bhawan, New Delhi.
2. Chief Secretary (Shri P.K.Tripathi)
Delhi Administration, Delhi.
3. Director of Education (Shri Amit Singhla)
Delhi Administration, Delhi. ...Respondents.

◆ (By Advocate : Shri N.K.Singh for Mrs.Avnish Ahlawat)

ORDER (Oral)

Sh. G. George Paracken, Member (J)

This Contempt Petition has been filed by the petitioner alleging non-implementation of the Order of this Tribunal dated 01.09.1997 in OA No.1179/1992. The operative part of the said order reads as under:

"6. For the reasons given above, the OA is allowed. As the respondents have already declared the applicant qualified in the PGT Examination, 1990 on the basis of the marks he has obtained in the three qualifying papers as advertised, he shall be entitled for appointment to the post

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of PGT with consequential benefits in accordance with law. The respondents shall take necessary action within six weeks from the date of receipt of a copy of this order. No order as to costs."

2. Learned counsel for the alleged contemnors has submitted that the aforesaid order was challenged before the High Court of Delhi in Writ Petition No.4948/1997, but it was dismissed vide order dated 16.12.2011. He has further submitted that against the aforesaid order of the High Court of Delhi, the respondents have filed an SLP vide Diary No.22821/12 on 12.07.1012, and it will be listed very soon.

3. We have heard the learned counsel for the parties. In our considered view, merely filing of an SLP in the Supreme Court will not absolve them from their responsibility to implement the order of this Tribunal particularly when the same has been upheld by the High Court of Delhi.

4. In view of the above position, we close the Contempt Petition with direction to the alleged contemnors that they shall forthwith implement the aforesaid order of this Tribunal subject to the outcome of the SLP being filed by them. They shall also file the necessary compliance affidavit within one month from today. Notices issued to the alleged contemnors are discharged.


(Sudhir Kumar)
Member (A)

/kdr/


(G. George Paracken)
Member (J)

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