

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH, ALLAHABAD.

Allahabad, this the 4th day of December 2002.

QUORUM : HON. MR. S. DAYAL, A.M.

HON. MR. A.K. BHATNAGAR, J.M.

CCP 131 of 02 in O.A. No. 653 of 2002.

Smt. Anita Benjamin.....

..... Applicant.

Versus

H.M. Kaire & others

..... Respondents.

O R D E R

BY HON. MR. S. DAYAL, A.M.

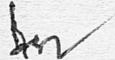
This contempt petition has been filed for wilful disobedience of order dated 30.5.02 of this Tribunal by which the order of transfer of the applicant dated 22.5.02 has been stayed till the next date which was 10.7.02.

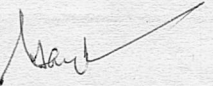
2. The respondents, in their counter reply, have annexed the order dated 19.8.02 by which they have temporarily attached Smt. A. Benjamin, TGT(English) with Kendriya Vidyalaya, IIT, Kanpur which was an institution from which the applicant was transferred. The counter reply was served on the counsel for applicant on 16.9.02. No rejoinder has been filed in response to the counter reply. Counsel for the applicant states that the compliance has not been done on the ground that the applicant has been temporarily attached. It is claimed that the order of the Tribunal dated 30.5.02 issued a stay on the transfer and temporary attachment to the ~~in~~stitution to which the applicant was transferred does not comply with the order. The counsel for the applicant also states that consequential benefits have not been given to the applicant.

3. We have to decide whether the respondents had any intention to disobey the interim order. By virtue of the order dated 19.8.02, they have demonstrated that they have no such intention. Counsel for the applicant claims that the applicant has not been paid any medical re-imbursment claims. It has also been claimed by the counsel for the applicant that



the applicant was not been restored the status which he had prior to the passage of her order of transfer. These are the issues which the counsel for the applicant can raise in the O.A. We do not find any unwillingness on the part of the respondents to comply with the orders. Hence the contempt proceedings are dropped and the notices issued are discharged.


J.M.


A.M.

Asthane/