

Reserved

CENTRAL ADMINISTRATIVE TRIBUNAL ALLAHABAD BENCH

ALLAHABAD.

Dated : This the 14th day of January 2003.

Hon'ble Mr. Justice R.K.K. Trivedi, Vice-Chairman
Hon'ble Maj Gen K.K. Srivastava, Administrative Member.

Contempt Application no.132 of 2002
in
Original Application no. 16 of 2002 (U)

K.P. Dubey, S/o Sri M.B. Dubey, TGT (Maths),
Kendriya Vidyalaya no. 2, NHPC, Banbasa,
Distt Champawat, (Uttanchal).

... Applicant

By Adv : In person

Alongwith

Contempt Application no. 132-A of 2002
in
Original Application no. 17 of 2002 (U).

G.S. Srivastava, S/o Sri S.S. Srivastava, PGT (Chem.),
Kendriya Vidyalaya no. 2, NHPC, Banbasa,
Distt. Champawat. (Uttanchal).

... Applicant

By Adv : In person

Versus

1. Sri M.M. Swamy, Asstt. Commissioner,
K.V.S. (Regional Office), Salawala,
Hathibarkala, Dehradun (Uttanchal).
2. Sri G.S. Mehta, Principal,
Kendriya Vidyalaya no. 2, NHPC, Banbasa,
P.O. Chandani, Distt. Champawat (Uttanchal).

... Respondents
(in both the cases)

By Adv : Sri N.P. Singh (In both the cases)

O R D E R

Hon'ble Maj Gen K.K. Srivastava, Member A.


These contempt applications have been filed under
section 17 of the A.T. Act, 1985, for punishing the respondents
for wilfully disobedience of interim order of this Tribunal
dated 27.5.2002, which reads as under :-

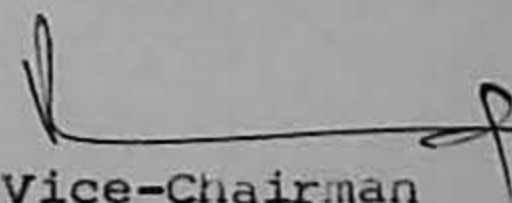
"Considering these aspects, we are of the view
that the applicant is entitled for protection.
Consequently, we direct that all the proceedings

in pursuance of the memo of charge dated 19.9.2001 shall remain stayed till the next date. We further provide that the impugned order of suspension dated 25.9.2001 shall also remain stayed. The applicant shall be reinstated and shall be allowed to discharge his duties as Teacher and shall be paid salary. However, the payment of arrears shall be subject to final orders passed in this O.A."

2. The applicants were to be reinstated immediately after the interim order was passed. It was submitted by the applicants that the respondents did not take any action to reinstate them. This fact has not been disputed by the respondent's counsel. We do not appreciate the inclination of respondents in not complying with the direction of this Tribunal. No body is above Law and the respondents have to abide by rule of law. The order of the Court has to be respected and complied with unless it is set aside or stayed by Superior Courts.

3. The ^{for 132A}COAs no. ^{for 132A}16 of 2002 (U) and ^{for 132A}17 of 2002 (U) are being disposed of finally. In view of our decision ^{for No 16 & 17 of 2002} in the ~~above~~ OAs, we ^{do not} feel it necessary to proceed further in these contempt applications and drop the same with the hope that respondents shall in future show respect and regard to the Court directions. Notices issued to the respondents are discharged. No costs.


Member (A)


Vice-Chairman