

Open Court.

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH: ALLAHABAD.

Civil Contempt Application No.190 of 2002.

in

Original Application No.929 of 2002.

Allahabad this the 23rd day of March 2004.

Hon'ble Mr. Justice S.R. Singh, Vice-Chairman.

Hon'ble Mr. D.R. Tiwari, Member-A.

Ram Gopal
son of Shri Buddhu Sankhwar
Resident of House No.C-3, Kendriya Vidyalaya
Staff Colony, Kanpur Cantt. Permanent Address
Village and Post Pahewa, District Kanpur Nagar.

.....Petitioner.

(By Advocate : Sri S.N. Pandey/
Sri H Verma)

Versus.

1. A.N. Sexana
at present posted as
Principal Kendriya Vidyalaya,
Kanpur Cantt.
2. S.S. Sikarwar (Colonel)
Station Headquarters,
Kanpur Cantt, presently deputed as
Chairman Vidyalaya Management Committee,
Kanpur Cantt.
3. V.K. Sabbarwal (TGT) (Math)
Kendriya Vidyalaya Kanpur Cantt.
4. S.N. Prasad (Librarian)
Kendriya Vidyalaya Kanpur Cantt.
5. Subash Chaturvedi (TGT) (English)
Kendriya Vidyalaya Kanpur Cantt.

.....Respondents.

(By Advocate : Sri N.P. Singh)

O.R.D.E.R.

(By Hon'ble Mr. Justice S.R. Singh, V.C)

Heard Sri Ashish Pandey holding brief of Sri S.N.
Pandey learned counsel for the applicant and Sri N.P.

Reff

Singh learned counsel for the respondents are present.

2. The applicant, it appears, instituted O.A. No.929/02 Ram Gopal Vs. Commissioner Kendriya Vidyalaya Sangathan Kanpur Cantt and others challenging therein the order of penalty of removal from service from Kendriya Vidyalaya dated 21.09.2001. By way of interim relief, the applicant had prayed for issuance of ad-interim order in the nature of mandamus commanding the respondents not to dispossess the applicant from the house allotted to him during the pendency of the O.A. The Tribunal admitted the O.A. on 27.08.2002 and granted time to the learned counsel for the respondents to file counter affidavit and as an interim directed the respondents to maintain status quo in respect of the applicant. The instant contempt application has been instituted on the ground that despite the order for directing the respondents to maintain status quo, the Admn. Commandant Col. S.S. Sikarwar passed an order on 09.09.2002 directing the applicant to vacate the Govt. Accommodation by 10.09.2002 failing which he would be forcibly evicted from the accommodation. Pursuant to the said order, the applicant was evicted from the Quarter on 10.09.2002.

3. Concededly the order of eviction was not passed by any of the respondents to the O.A. and the Admn. Commandant, Sri S.S. Sikarwar was not a party to the O.A. We are, therefore, of the view that the contempt petition is not maintainable and is accordingly dismissed. Notices are discharged.


Member-A.


Vice-Chairman.

Manish/-