

OPEN COURT

**CENTRAL ADMINISTRATIVE TRIBUNAL, ALLAHABAD
BENCH ALLAHABAD**

(THIS THE 2nd DAY OF AUGUST, 2010)

PRESENT:

HON'BLE MR. JUSTICE S.C. SHARMA, MEMBER-J

HON'BLE MRS. MANJULIKA GAUTAM, MEMBER-A

CIVIL CONTEMPT APPLICATION NO. 59 of 2006

In

ORIGINAL APPLICATION NO. 206 OF 2004

(U/s, 19 Administrative Tribunal Act.1985)

Kamala Pati Dubey, S/o Shri M.B. Dubey aged about 50 years, Ex- T.G.T (Maths) of Kendriya Vidyalaya, NHPC, Banbasa, District Champawat (Uttaranchal) presently residing at Pratibhayan, C- 119, G.T.B. Nagar, Allahabad (U.P).

..... Applicant

By Advocate: In person

Versus

1. Shri Ranglal Jamuda, The Commissioner, Kendriya Vidyalaya Sangathan (h. Qrs) 18, Institutional Area, Sahid Jeet Singh Marg, New Delhi-16. FAX No. *(Office): 011 - 26514179, Phone (office) 011-26512579.
2. Smt. R. Kalawati, The Asstt. Commissioner, Kendriya Vidyalaya Sangathan, Regional Office, Hathibarkala, Salawala Dehr-adun (Uttaranchal) 248001. *(Office): 0135-2749824, Phone (office) 0135-2749510
3. Shri G.S. Mehta. The Principal, Kendriya Vidyalaya NHPC, Banbasa, P.O Chandani, District Champawat (Uttaranchal) 262310.

..... Respondents

By Advocate: Shri N.P. Singh

ORDER

(DELIVERED BY: JUSTICE S.C. SHARMA, MEMBER-J)

None is responding for the applicant, who is conducting the case in person, however, Shri N.P Singh advocate is present for the respondents.



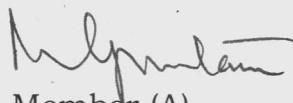
2. Instant contempt application has been moved for disobeying the order dated 20.1.2006 passed by this Tribunal. The respondents challenged the order before the Hon'ble High Court, Allahabad in Civil Misc. Writ Petition NO. 22350 of 2006 and Hon'ble High Court, Allahabad vide order dated 8.5.2007 set aside the order passed by the Tribunal dated 20.1.2006 and matter was remanded.

3. At this stage, Shri S. Narain, advocate who had conducted the case on behalf of the applicant in the O.A. from which the present contempt has arisen, stated that after remand of the O.A. the case was finally decided and against that order of the Tribunal, the respondents preferred a writ petition before the Hon'ble High Court Uttarakhand and now the matter is pending before the Hon'ble High Court, Uttarakhand.

4. Shri N.P Singh, learned counsel for the respondents stated that as the order dated 20.1.2006 had already been set aside by the Hon'ble High Court, hence contempt petition does not survive and the same is liable to be dismissed. Shri S. Narain, Advocate has ~~also~~ ^{already} not disputed this fact.

5. We have perused the judgment of Hon'ble High Court dated 8.5.2007 as well as the order passed by this Tribunal dated 20.1.2006 and all circumstances ~~are~~ is evident from the order of the Hon'ble High Court, this contempt petition rendered infructuous and same is liable to be dismissed accordingly.

6. Contempt petition is dismissed accordingly. Notices if issued are discharged.


Member (A)


Member (J)

Manish/-