

(2)
Open Court

**CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD**

Original Application No. 699 of 2007

Monday, this the 16th day of July 2007

Hon'ble Mr. K.S. Menon, Member (A)

D.K. Srivastava, Aged about 55 years S/o Late Shri Ganesh Prasad Srivastava, presently working as Primary Teacher in Kendriya Vidyalaya, Old Cantt. Allahabad, Resident of ED-116, 117, ADA Colony, Naini (Allahabad).

Applicant

By Advocate Sri Rakesh Verma

Versus

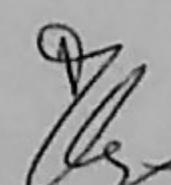
1. Union of India through the Secretary, Ministry of Human Resource & Development, New Delhi.
2. The Commissioner, Kendriya Vidyalaya Sangathan, 18, Institutional Area, Shaheed Jeet Singh Marg, New Delhi-110016.
3. The Assistant Commissioner, Kendriya Vidyalaya Sangathan, Regional Officer Sector 'J', Aliganj, Lucknow-226024.
4. Shri S. Ram, Principal, Kendriya Vidyalaya, Old Cantt., Teliarganj, Allahabad.

Respondents

ORDER

By K.S. Menon, Member (A)

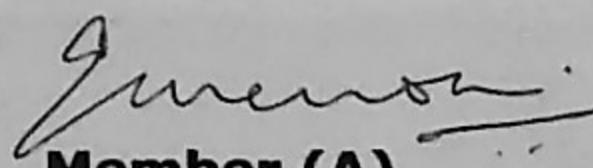
The applicant has sought for quashing of impugned suspension order dated 22.03.2007 passed by respondent No.3. He contends that suspension order is on the basis of anonymous complaints that have been submitted to the respondents against him. He further states that instead of ignoring the anonymous complaints, the respondent No.3 has issued the impugned suspension order dated 22.03.2007. He further states that his so called suspension order has not been reviewed after 90 days, as



(3)

per Rules and hence his suspension order has to be revoked by the authority concerned. It is seen from the record that in earlier O.A. No. 458 of 2007, this Tribunal has passed an Order to the effect that since the applicant has not exhausted all the channels of remedy, he was directed to file an Appeal before the respondents and the respondents were directed to dispose of the appeal within a period of 3 weeks. The respondents were also directed to consider that in case suspension is to continue, in that event as per rules and Government of India instructions, they shall complete the disciplinary proceedings against the applicant at the earliest. Learned counsel for the applicant says that appeal of the applicant has not been disposed of by the respondents nor his suspension order has been revoked, as such, he has filed the present O.A.

2. On going through the documents on record, it is noticed that the Order of this Tribunal dated 07.05.2007 has not been complied with by the respondents. It would therefore be in order for the applicant to initiate contempt proceedings rather than filing a fresh O.A. In view of the matter, present O.A. is not maintainable and is, therefore, dismissed with no order as to costs. The applicant is, however, at liberty to approach the Court with his grievance regarding non-implementation of the Order of this Tribunal, passed on 07.05.2007.


Member (A)**/M.M./**