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Central Administrative Tribunal
Principal Bench

C.P. No.353/2003
IN
O.A. No.2175/2003

New Delhi this the 24th day of November, 2003

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)
Hon'ble Shri Bharat Bhushan, Member (J)

Dr. Mitilesh Swami
W/o Shri J.P. Swami
R/o C-251, Minto Road Flats
New Delhi.

-Applicant

(Applicant present in person)

Versus

1. Smt. Gita Sagar
Education Secretary
NCT of Delhi
Old Secretariat
Delhi-110 006.
2. Shri Rajendra Kumar
Education Secretary
NCT of Delhi
Old Secretariat
Delhi-110 006.
3. Shri R.S. Khokar
Deputy Director of Education
NCT of Delhi
District East, Rani Gardens
Delhi.
4. Shri G.T. Jakarde
Assistant Director Education
NCT of Delhi
District East, Rani Gardens
Delhi.

-Respondents

(By Advocate: Shri Mohit Madan, proxy for
Mrs. Avnish Ahlawat)

ORDER (Oral)

Hon'ble Shri V.K. Majotra, Vice-Chairman (A)

We have heard the applicant who is present in person, learned counsel for respondents and gone through the records.

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2. OA-2175/2003 was disposed of vide order dated 8.9.2003 which the following directions:-

"Having regard to the averments made in the OA and in the interest of justice, in my considered view, this OA can be disposed of at this stage itself without issuing a notice to respondents, while their case will not be prejudiced to dispose of the representations of the applicant Annexures P-10, P-11 and P-12 by passing a detailed reasoned orders within a period of one month from the date of communication of these orders. In case, applicant has yet not been relieved, status quo shall be maintained by respondents for a period of one month as stated above or till the disposal of these representations whichever is earlier".

3. Learned counsel of the respondents referred to respondents' order dated 9.10.2003 whereby representations of the applicant have been disposed of. He particularly brought to our attention as stated in respondents' order dated 9.10.2003 that applicant was relieved on 2.8.2003 and a copy of the relieving orders were sent to her residential address by Courier Service on 7.8.2003. The same, however, were received back by the school authorities on 4.9.2003 undelivered with the remarks "Closed". Learned counsel stated that in the meanwhile Smt. Prem Saral, Vice Principal joined the school as Head of School and DDO on 11.8.2003 itself. It is clear that while the applicant had been relieved of the charge on 2.8.2003, an order deciding her representations had been passed on 9.10.2003 in compliance of the directions of this court.

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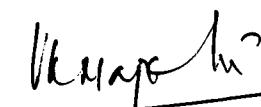
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4. In view of these facts, we do not find any wilful and contumacious contempt committed by the respondents in compliance of directions of this court. C.P. is dismissed. Notices issued to the respondents are discharged. If the applicant still feels aggrieved, she can take recourse to lawful action, if so advised.

MAs-2220/2003 and 2212/2003 are also disposed of.



(Bharat Bhushan)
Member (J)



(V.K. Majotra)
Vice Chairman (A)

CC.