

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11402 of 2014

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Deputy Commissioner, Navodaya Vidyalaya Samiti, Regional Officer, Boring Road, Patna

.... Petitioner.

Versus

1. Dr. A.K. Pratihasta, son of Sri N.N. Pratihasta, resident of Village Chhatauni, P.S. Basopatti, District Madhubani, Bihar.
 2. Union of India through the Secretary, Ministry of Human Resources Development, Government of India, New Delhi.
 3. Hon'ble Minister of Human Resources Development cum Chairman, null Navodaya Vidyalaya Samiti, New Delhi.
 4. Commissioner, Navodaya Vidyalaya Samiti, A/28, Kailash Colony, New Delhi.
 5. Joint Commissioner (Personnel), Navodaya Vidyalaya Samiti, A/28, Kailash Colony, New Delhi.
 6. Joint Director (Administration), Navodaya Vidyalaya Samiti, A/28, Kailash Colony, New Delhi.
- Performa Respondents.
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Appearance :

For the Petitioner : Mr. Siddhartha Prasad Advocate.

For the Respondents : Mr. J.P. Karn, Sr. Advocate.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

Date: 12-01-2016

Heard learned counsel for the petitioner. Petitioner challenges the order of the Central Administrative Tribunal, Patna Bench, Patna (hereinafter referred to as the 'Tribunal') dated 04.12.2013 passed in O.A. No. 650 of 2010.

Heard learned counsel for the petitioner and with consent of parties, this writ petition is being disposed of at this stage itself.

By the aforesaid order the Tribunal has set aside the penalty

imposed on the then In-charge Principal of Jawahar Navodaya Vidyalaya, Aurangabad. The punishment was stoppage of three increments with cumulative effect and no extra remuneration for the period of suspension apart from subsistence allowance already paid. The Tribunal set aside the order of punishment and the appellate order affirming the same and held that in view of the dereliction alleged, the punishment was not justified. The dereliction was too formal in nature to attract any punishment. Virtually the Tribunal held that it was over-reaction of the authorities in relation to an incident for which in fact the Incharge Principal was not responsible at all.

Having gone through the order and the records of this case, we are of the view that the Tribunal has committed no error much-less error of law in dealing with the matter. Accordingly, we are not inclined to interfere with the impugned judgment and order passed by the Tribunal. Thus, this writ petition is dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Rajiv/Arjun

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