

HON'BLE SRI JUSTICE V. RAMASUBRAMANIAN

AND

HON'BLE MRS. JUSTICE ANIS

Contempt Case No.492 of 2017

ORDER: (V. Ramasubramanian, J)

The petitioner has come up with the above Contempt Case alleging wilful disobedience of the order passed by the Bench.

2. Heard Mohd. Islamuddin Ansari, learned counsel for the petitioner.

3. The petitioner filed a writ petition in W.P.No.4860 of 2003 challenging a major penalty imposed upon him. The single Judge allowed the writ petition directing reinstatement with back wages and to treat the petitioner to have continued in service till the date of superannuation.

4. The bank filed an appeal in W.A.No.435 of 2015 and sought an interim stay. The Division Bench of this Court, while ordering notice in the appeal, granted a limited stay only in respect of back wages. It means the order of the learned Single Judge, setting aside the major penalty and directing the petitioner to be treated as having continued in service, was not stayed by the Division Bench.

5. If only one portion of the order of the single Judge is stayed and the other portion is not stayed, the petitioner should workout his remedies only insofar as that portion of the order of the single Judge, which was not stayed. Therefore, leaving it open to the petitioner to workout his remedies as against the unstayed

portion of the order of the learned single Judge, the Contempt Case is closed.

V. RAMASUBRAMANIAN, J

ANIS, J

Date: 09-06-2017

Ksn

