

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CONTEMPT CASE No.271 of 2017

ORDER:

This Contempt Case is filed alleging violation of the order dated 14.10.2016 passed by this Court in W.P.No.26207 of 2015.

2. Pursuant to the order dated 17.04.2017 passed by this Court, the respondent-contemnor is present in person before this Court with an affidavit, wherein he stated that the Central Board of Secondary Education (CBSE) is an autonomous Body, which is represented by the Chairman. So far as the prayer in the writ petition is concerned, the Central Board of Secondary Education is the authority for implementation of the orders passed by this Court, whereas the role of the respondent herein is very limited and, in fact, he is only a proforma party/respondent in the said writ petition.

3. It is further stated that the respondent has got high regard and respect towards the orders passed by the Courts and he has no second thought of non-implementation of the same.

4. It is further stated that the order passed by this Court was not conveyed to the respondent either by the petitioner or by the Government counsel and thus, the order passed by this Court could not be implemented within time, however, with some delay, the order passed by this Court has been complied with vide order dated 25.04.2017.

5. Sri Namavarapu Rajeswara Rao, learned Standing Counsel for the Central Government, who appeared in the writ petition, is present before this Court and submits that since the order has to be implemented by the Central Board of Secondary Education, he conveyed about passing of the order to the said authority, however, he has fairly admitted that he has not conveyed the directions issued by this Court to the respondent herein.

6. Keeping in view the averments made in the affidavit filed by the respondent and since the order passed by this Court has been complied with, I hereby discharge the respondent herein from the proceedings under the Contempt of Courts Act, 1971.

7. Accordingly, the Contempt Case is closed. No order as to costs.

8. As a sequel, miscellaneous petitions pending, if any, shall stand closed.

JUSTICE SURESH KUMAR KAIT

25.04.2017.

Msr

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Msr