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IN THE HIGH COURT OF DELHI AT NEW DELHI

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CONT.CAS(C) 331/2017

SANJEEV KUMAR SAXENA

..... Petitioner

Through: Ms. Jyoti Singh, Senior Advocate with
Mr. Amandeep Joshi, Ms. Tinu Bajwa
and Mr. Himanshu Mishra, Advocates.

versus

BISHWAJIT KUMAR SINGH

..... Respondent

Through: None.

CORAM:

HON'BLE MR. JUSTICE MANMOHAN

ORDER

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01.05.2017

Present contempt petition has been filed alleging wilful disobedience of order dated 01st March, 2017 passed in W.P.(C) 953/2016 wherein it was held that petitioner must be given seniority, i.e., the first position and notional appointment from the date the next lower successful candidate was appointed. The Court directed the respondent to fix petitioner's pay by giving benefit of increment due to him from the date of notional appointment. The date of notional appointment was to be counted for the purpose of all benefits like pension (if applicable) and years of service as principal for further promotion etc. The Court further directed that petitioner would be entitled to salary as a principal. All the above directions were to be complied within one month.

Learned senior counsel for the petitioner states that respondent-School has not granted any of the aforesaid benefits till date.

However, since the order in writ petition arose from an order passed by the Central Administrative Tribunal (CAT) and the doctrine of merger applies, present contempt petition is disposed of with liberty to the petitioner to file contempt proceedings before the CAT under Section 17 of the Administrative Tribunals Act, 1985. Rights and contentions of all parties are left open.

MANMOHAN, J

MAY 01, 2017

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