

ITEM NO.103

COURT NO.4

SECTION XI

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Civil Appeal No(s). 8815-8816/2010

JAI KARAN VERMA

Appellant(s)

VERSUS

SRI ANIL KUMAR MISHRA & ORS.

Respondents(s)

Date : 26/06/2014

These appeals were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN
HON'BLE MR. JUSTICE SHIVA KIRTI SINGH
[VACATION BENCH]

For Appellant(s)

Mr. B.P. Singh Dhakray, Adv.
Mr. Shakti Singh Dhakray, Adv.
Mr. Dharam Bir Raj Vohra, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

The appeals are allowed in terms of the signed
order. There shall be no order as to costs.

Counsel for the appellant shall serve a copy of
this order on the respondents within 15 days from
today.

[CHARANJEET KAUR]
COURT MASTER

[INDU POKHRIYAL]
COURT MASTER

[Signed order is placed on the file]

Signature Not Verified

Digitally signed by
Charanjeet Kaur
Date: 2014.06.27
13:15:22 IST
Reason:

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THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 8815-8816 OF 2010

Jai Karan Verma

.. Appellant(s)

Versus

Sri Anil Kumar Mishra & Ors.

.. Respondent(s)

O R D E R

1. The brief facts are that the appellant had approached the High Court of Allahabad in Writ Petition (C) No. 3421 of 1995 seeking a mandamus for making payment of the salary in the post of Lecturer in Education w.e.f. Janaury, 1995. That writ petition was allowed and the respondents were directed to make payment of salary to the appellant on the post of Lecturer in Education in the Institution, namely, Shitla Prasad Intermediate College, Garhwara, District Pratapgargh w.e.f. January, 1995.

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2. Since the order of the Writ court was not complied with the appellant before us filed Criminal Misc. Case No. 350 of 2004 in which by order dated 07.05.2008 a learned Single Judge had directed that if the respondents do not receive an interim order from the appellate Court they must comply with the afore-mentioned order of the Writ Court. That order subsequently came up before another learned Single Judge wherein the Court opined that the respondents "...are bonafidely agitating their grievance before the Division Bench of this Court through special appeal. Therefore, I feel it appropriate to defer the hearing of the present contempt petition till the disposal of the special appeal."

3. This order was thereafter unsuccessfully challenged before the Division bench in Special Appeal No. 550 of 2008 which however,

was dismissed as not maintainable.

It is in

this history that the appellant is before us

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in these appeals.

4. Having considered the matter carefully, the action that commends itself is that if the respondents fail to obtain an order staying the operation of Order/Judgment dated 15.10.2003 passed in Writ Petition (C) 3421 of 1995 within two months from today, the contempt petition shall be revived forthwith and shall be decided within three months thereafter.

5. There has been no appearance on behalf of the respondents. Counsel for the appellant shall serve a copy of this order on the respondents within 15 days from today.

6. The appeals are allowed in these terms. There shall be no order as to costs.

.....J.
[VIKRAMAJIT SEN]

.....J.
[SHIVA KIRTI SINGH]

NEW DELHI,
JUNE 26, 2014.