

(1997) 02 MP CK 0016
In the Madhya Pradesh High Court
Case No : C.P. No. 301 of 1996

Krishna Singh (Smt.)

APPELLANT

Vs

G.D. Gupta and Others

RESPONDENT

Date of Decision : 20-02-1997

Acts Referred:

Citation : (1999) 3 LLJ 518

Hon'ble Judges : S.K. Dubey, J

Bench : Single Bench

Judgement

S.K. Dubey, J.—In this petition, the grievance of the petitioner is that inspite of the order passed by the Writ Court dated July 16, 1996, passed in Writ Petition No. 2690 of 1996, the petitioner is not being paid her salary as she is still continuing in employment as Upper Division Teacher, as decided by the Committee of the Society which runs the institution.

2. It was submitted by the non-petitioners that the petitioner did not work beyond April 30, 1996, her demand was to pay salary for the post of Upper Division Teacher, therefore respondent No. 3 could not make the payment of the salary.

3. It is admitted by the Principal, the non-petitioner No. 3, who is present in Court that from July 2, 1996, the petitioner attended the school but was not permitted to perform her duties as her services were discontinued and that there was no direction of the Court in mandatory term.

4. Considering the circumstances and the fact that no order of discontinuing the service of the petitioner was passed and the petitioner was not permitted to perform the duties of a teacher, I direct the non-petitioners to continue her and permit her to teach classes and to pay current salary of the post which the petitioner was getting prior to so called discontinuance. As regards the claim in relation to status of the petitioner and pay from July 1, 1996 till today, the petitioner may seek relief in the pending Writ Petition.

5. In the circumstances of the case, I am not inclined to punish non-petitioner No. 3. However, I award the costs of Rs. 1000/- to the petitioner which shall be paid by the non-petitioners.

6. Accordingly the proceedings are dropped notice is discharged.