

CLCON No. 90 of 2016

U. C. Dhyani, J.

Mr. C.K. Sharma, Advocate for the applicant.

By means of present contempt petition, the petitioner/applicant seeks to call the opposite party in person and punish him for committing deliberate, intentional and willful contempt of court by flouting the order dated 02.11.2015 passed by this Hon'ble Court passed in Writ Petition (S/S) No. 2202 of 2015.

The order sought to be executed is being reproduced herein below for convenience:

"In view of this Court, there is no valid ground for rejecting the transfer application of the petitioners on such ground, as far as present petitioners are concerned, the order dated 19.8.2015 is hereby set aside. The writ petitions are allowed and Director (Secondary Education), Dehradun is hereby directed to reconsider the case of the petitioners in case there are vacancies available in the same place or nearby place and efforts be made to transfer the petitioners in the next transfer session."

It is the submission of learned counsel for the petitioner that the casual approach on the part of the respondent should not be tolerated and strict action should be initiated against the alleged contemnor.

One of the objectives of contempt jurisdiction is the enforcement and compliance of the order of the Court.

This Court, instead of issuing notice reiterates the order dated 02.11.2015 passed by Hon'ble Single Judge and directs the authority concerned to pass a fresh order as directed by the High Court on 02.11.2015, failing which he will be liable to face appropriate action under the Contempt of Courts Act.

Petitioner is directed to place a copy of this order, as also the order dated 02.11.2015 to remind the respondent that a duty is cast upon him to do something, which has not been done.

(U. C. Dhyani, J.)

31.3.2016