

SUPREME COURT OF INDIA

Ram Naresh Prasad Singh

Vs.

G.S.Kung

Contempt Petition(C) No.266 of 2005

(K.G. Balakrishnan CJI. and P.Sathasivam JJ.)

07.08.2008

ORDER

1. Heard both sides.

2. The petitioner in both the petitions-Ram Naresh Prasad Singh was initially appointed as a Science Teacher in a Sanskrit School. The school was being maintained by the Sanskrit Siksha Board but, later in the year 1980, the school was taken over by the Government under the provisions of Ordinance dated 18.12.1989. The petitioner was allegedly continued as a teacher in the school but the salary was being paid by the government. Though the respondents contend that in the year 1989 his service was terminated, but some of the records produced before us show that he continued as a teacher till 2002 and thereafter as an Assistant Head Master upto 2004. Learned counsel appearing for the Government contends that he was not working as an Assistant Head Master and was not attending the school and the records show that he continued as an Assistant Head Master as there was no effective order of termination was passed in his favour. Though several pending proceedings were against him, the appropriate authority had not passed any order and this led to a situation where the petitioner had to continue in the school as an Assistant Head Master.

3. The petitioner alleges that he was not paid any salary from 1.4.2002 till December, 2003. Having regard to the peculiar circumstances of the case, we direct respondent nos.1,2 and 3 to pay a sum of Rs.1 lac to the petitioner within a period of three months as final settlement.

4. The contempt petitions are disposed of accordingly. No costs.