

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI

CP NO. 102/2002  
MA NO. 348/2002  
OA NO. 356/2002

This the 8th day of August, 2002

HON'BLE SH. KULDIP SINGH, MEMBER (J)  
HON'BLE SH. M.P.SINGH, MEMBER (A)

1. Sh. S.K.Panigrahi,  
s/o late Shri Bipra Charan Panigrahi,  
Jr. Economic Investigator,  
Office of the DGFT,  
Ministry of Commerce,  
Udyog Bhawan, New Delhi.
2. Shri M.K.Kaushal,  
s/o Sh. D.N.Kaushal,  
Sr. Investigator,  
Office of D.G.F.T.  
Ministry of Commerce,  
Udyog Bhawan, New Delhi.  
(By Advocate: Sh. S.N.Khanna)

Versus

1. Sh. N.L.Lakhanpal,  
Director General of Foreign Trade,  
Udyog Bhawan, New Delhi.
2. Sh. A.K.M.Chakankar,  
Jt. Director Gnereral of Foreign Trade,  
Udyog Bhawan, New Delhi.  
(By Advocate: Sh. R.N.Singh)

O R D E R (ORAL)

By Sh. Kuldip Singh, Member (J)

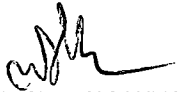
In OA-356/2002 vide order dated 12.2.2002 wherein the applicant had challenged the selection of certain persons. This Court had directed the parties to maintain status quo as on date. It was also clarified, in other words, in case Resp.3 and 4 have not actually assumed the charge of the aforesaid promotional posts, they are restrained from assuming charge. It was further clarified that present restraint will have no effect if respondents 3 & 4 have already assumed charge.

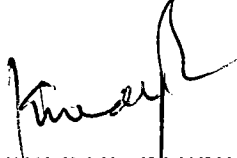


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2. Applicant has filed the present CP alleging violations of the interim order. Applicant alleges that in spite of the service of the interim order on 13.2.2002 Resp.3 & 4 were promoted and assumed the charge after the service of the stay order passed by this Tribunal. Thus, the respondents are in violation of the interim order issued by this Court and they have committed contempt of court.

3. However, respondents have filed the reply to CP and alongwith that they have annexed Annexure-R showing that Sh. Raajbir Sharma had assumed charge on 7.2.2002 at 4 p.m. Similarly Sh. Jai Karan had also assumed the charge on 7.2.2002 at 4 p.m. Thus, the charge report submitted by the respondents shows that both these respondents Rajbir Sharma and Jai Karan had assumed charge before the interim order was issued by this Court. Hence, we find no contempt is made out. CP is, therefore, dismissed.

  
( M.P. SINGH )  
Member (A)

  
( KULDIP SINGH )  
Member (J)

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