

Central Administrative Tribunal, Principal Bench

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Contempt Petition No.253 of 2002 in
Original Application No.1530 of 2002

New Delhi, this the 29th day of July, 2002

Hon'ble Mr. Justice Ashok Agarwal, Chairman
Hon'ble Mr. S.A.T. Rizvi, Member (A)

1. S. Sinha
S/o late Sarojakasha Sinha
C/o Bhupender Singh
29, New Arya Nagar,
Medical College, Meerut City
Meerut
2. A.G. Das
S/o Dhirendra Dasa
C/o Bhupender Singh
29, New Arya Nagar,
Medical College, Meerut City
Meerut
3. Bhupender Singh
S/o Dharamvir Singh
29, New Arya Nagar,
Medical College, Meerut City
Meerut
4. Pankaj Jain
S/o late Shri Surender Prakash Jain,
R/o 9, Prem Prayag Colony
Near Medical College
Garh Road, Meerut
5. Raka Jain
W/o of Shri Pankaj Jain,
R/o 9, Prem Prayag Colony
Near Medical College
Garh Road, Meerut
6. Miss Anju Gill
D/o late Sub./Clk. Gurnam Singh
R/o H.No. 97, Gandhi Mohalla
Kaseru Khera, Meerut Cantt.
7. Reema Rani
D/o late Hav. Satendra Kumar
R/o H.No. 223/18, New Sainik Vihar
Colony, Near S.B.I., Anoop Nagar
Fazalpur, Meerut Cantt.

.... Petitioners

(By Advocate: Shri S.K. Gupta)

Versus

1. Shri Sudhir Dutta
Secretary
Ministry of Defence
South Block, New Delhi

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2. Lt. Gen. Krishan Pal
Quarter Master General,
Army Headquarters,
Sena Bhawan, Dalhauzi Road,
New Delhi

3. Brig. Ravinder Kumar
Deputy General Officer Commanding
Chairman Pine Canteen,
Headquarter, 9 Infantry Division
C/o 56 APO

4. Maj. Gen. R.K. Singh, VSM
G.O.C., HQ, 9 Infantry Division,
C/o 56 APO.

.... Respondents

(By Advocate: Shri A.K. Bhardwaj)

O R D E R (ORAL)

By Mr. S.A.T. Rizvi, Member (A)

Non-observance of the orders passed by this Tribunal on 5.6.2002 in OA No.1530/2002 has been made the basis of the present contempt petition. By the said order, the operation of the respondents' order dated 9.5.2002 terminating the services of the petitioners was directed to remain stayed. The petitioners have served a copy of the aforesaid order of the Tribunal on the respondents and have made several requests in writing as well as ² through ~~two~~ telegrams for being taken back in service in pursuance of the aforesaid order passed by this Tribunal.

2. The learned counsel appearing on behalf of the respondents submits that in pursuance of the aforesaid order, the petitioners have been asked repeatedly to come back and take up their job. They have failed to return and accordingly the respondents have not been able to take them back in service.

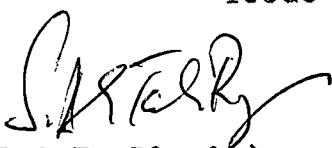
3. The learned counsel appearing on behalf of the petitioners submits that when the petitioners approached

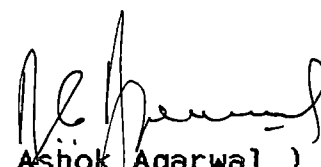
the respondents, they were not allowed to enter ~~into~~² the office and as such, they have not been able to report back.

4. The learned counsel appearing on behalf of the respondents is, in view of the ² ~~fore~~stated facts and circumstances, prepared to give an undertaking that if the petitioners report for duty on 31.7.2002 at 9.00AM, there will be no difficulty and they will be taken back in service in accordance with the directions of this Tribunal. On the basis of this understanding given before us, nothing survives in this contempt petition which is accordingly disposed of. ² ~~are also~~ Notices ₂ discharged.

5. We hasten to clarify that the aforesaid arrangement to be made for taking the petitioners back in service will be without prejudice to the merits of their case in the OA.

Issue DASTI.


(S.A.T. Rizvi)
Member (A)


(Ashok Agarwal)
Chairman

/dkm/