

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH

CONTEMPT PETITION NO.170/00121/2019

IN

ORIGINAL APPLICATION No.170/00844 /2019

DATED THIS THE 4th DAY OF MARCH 2020

HON'BLE DR. K.B. SURESH, MEMBER (J)

HON'BLE SHRI CV. SANKAR, MEMBER (A)

Narayana Gowda,  
S/o Bettappa  
Aged: 45 years  
Working as Gardner  
Indian Statistical Institute,  
RV.College PO,  
Bangalore 560 059  
Residing at  
Chittannahalli,  
Gejjayaraguppe PO,  
Magadi Tq

... ..Petitioner

(By ShriP.Kamalesan..... Advocate)

vs.

1.Sri Robinson E.Raja C,  
Head of Indian Statistical Institute,  
Bangalore Centre, RV.College PO,  
Bangalore 560 059

...Respondent

(By Shri VN.Holla.. Senior Panel Counsel )

ORDER

HON'BLE DR. K.B. SURESH, MEMBER(J)

Heard. In view of the decision of the Hon'ble High Court of Karnataka in W.P.No.47950-47951/2019 (S-CAT) dated 12.11.2019 which we quote:-

"ORDER

*In these writ petitions, petitioners have impugned the Order dated 13.8.2019 passed by the Central Administrative Tribunal, Bengaluru Bench, Bengaluru.*

2. *Respondent No.2 herein had filed Original Application No.844/2019 before the Central Administrative Tribunal('CAT' for short) contending that he was appointed as a gardener under petitioner No.2 on contract basis in the year 2013 and the same was extended from time to time till 12.7.2019. Respondent No.2 claimed that he is entitled to be continued as a gardener and that he cannot be orally terminated. Respondent No.2, therefore, sought for a direction to petitioner No.2 herein to continue him as a gardener at petitioner No.2 from 13.7.2019 and to consider his regularization against the vacant post of gardener.*

3. *The CAT, by its order dated 24.7.2019, issued notice to the respondents therein and thereafter on 13.08.2019, granted an interim order to continue respondent No.2 as gardener for the time being.*

4. *Petitioners in these writ petitions, who are respondents before the CAT, filed their objections contending that the Tribunal has no jurisdiction to entertain the application filed by respondent No.2 herein and*

*therefore, the interim order dated 13.08.2019 could not have been granted.*

5. *The learned Counsel for petitioners after arguing the writ petitions for some time indicated that the application before the CAT, is listed on 21.11.2019. We, therefore, deem it proper not to decide these writ petitions on merits, but to request the CAT to consider the questions raised by the petitioners in their statement of objections filed before the CAT.*

6. *In view of the above, without expressing any opinion on the merits of the case, we request the Central Administrative Tribunal to consider the objections of petitioners herein, who are respondents before the CAT, and also consider the question as to whether the interim arrangement dated 13.08.2019 should be continued. The Central Administrative Tribunal shall endeavour to comply with this within one week from the date of receipt of a copy of this order.*

7. *In view of the observations made above, these Writ Petitions stand disposed of with the directions as aforesaid.”*

2. It would be appropriate for us to decide the matter on the original side first, before taking up the CP. Therefore, with liberty, Contempt Petition is dismissed. Notices are discharged. No order as to costs.

(CV. SANKAR )  
MEMBER (A)

(DR. K.B. SURESH)  
MEMBER (J)

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