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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 362/2002
OA 1197/2001

New Delhi this the 3rd day of September, 2002

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J)

Hon'ble Shri S.A.T. Rizvi, Member (A)

Rajesh Kumar and Ors
Badli Workers
Delhi Milk Scheme,
West Patel Nagar, New Delhi-8

..Petitioners

(By Advocate Shri R.S. Rawat)

VERSUS

1. Shri D.K. Vishwas,
Secretary to the Govt. of
India, Ministry of Agriculture,
Department of A.H. & Dairying,
Krishi Bhawan, New Delhi.

2. Shri Aakash Laxman,
General Manager,
Delhi Milk Scheme,
West Patel Nagar, New Delhi-8

..Respondents

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman (J))

We have heard Shri R.S. Rawat, learned counsel for the petitioners in CP 362/2002. He has drawn our attention to MA (MA 292/2002) ^{which} he had filed on 29.1.2002, in which a prayer has been made for fixing the time limit for implementation of the Tribunal's order dated 20.11.2001 in OA 1197/2001 and direction to the respondents to comply with those directions of the Tribunal. In reply to MA, the respondents have stated as follows:-

" It is respectfully submitted that the orders of the Hon'ble Tribunal were received on 12.12.2001 in this Department.

JS.

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It is the settled position that the orders are to be implemented within 6 months of the receipt if no time limit is prescribed. As the period of time i.e. 6 months will be expired on 11.5.2002 the present Misc. application is pre mature and not maintainable and as such the same may be dismissed with costs. It is prayed accordingly ".

2. Shri R.S.Rawat, learned counsel submits that in spite of whatever the respondents have stated in their reply quoted above, the applicants have not been informed of any action taken by them so far in compliance ^{with} the aforesaid order of the Tribunal. Hence this CP.

3. MA 292/2002 was dismissed by the Tribunal's order dated 16.4.2002 as being devoid of any merit.

4. In view of what has been stated by the respondents themselves, it appears that they have ~~correctly~~ understood the order of the Tribunal in OA 1197/2001, that they have to implement the same within six months from the date of receipt of a copy of that order as no time was prescribed. We presume that they would have taken necessary action by this time although it appears that they have not cared to inform the applicants about the same. The respondents have themselves clearly stated that six months will expire on 11.5.2002 and on that ^{is} basis it/ submitted that MA 292/2002 was premature.

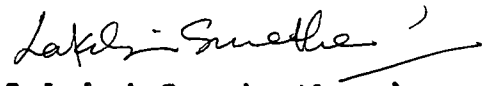
5. In the above facts and circumstances of the case and having regard to the aforesaid reply of the respondents themselves, we consider it appropriate to dispose of CP 362/2002 with the following directions:-

The respondents shall intimate what action they have taken with regard to the Tribunal's order dated 20.11.2001 in OA 1197/2001 within ^{the} ~~six months~~ period ^{13/}

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they have themselves referred to, for taking appropriate action in reply to MA. In any case, action taken by them shall be intimated with regard to the aforesaid directions of the Tribunal within two weeks from the date of receipt of a copy of this order positively. In this view of the matter, CP 362/2002 stands disposed of.


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


(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

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