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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

Hon'ble Shri Justice Ashok Agarwal, Chairman
Hon'ble Shri S.R.Adige, Vice-Chairman (A)

C.P.No.422/2001 in
O.A.No.874/2001

New Delhi, this the 7th day of March, 2002

Sh. S.K.Verma
Pharmacist
12/519, Rishi Nagar
Sonipat, Haryana.

... Petitioner

(By Advocate: None)

Vs.

1. Mr. R.Chandra Mohan
Secretary
Ministry of Health
Govt. of NCT of Delhi
2. Dr. D.K.Srivastava
Medical Superintendent
G.T.B.Hospital
Shahdara
Delhi.

... Respondents

(By Advocate: Shri Vijay Pandita)

O R D E R (Oral)

S.R.Adige, VC(A):

None has appeared on behalf of the applicant to press CP 422/2001 alleging contumacious non-compliance of the Tribunal's order dated 11.4.2001 in OA No.874/2001.

2. We have, however, heard the respondents' counsel Shri Vijay Pandita and we are proceeding to dispose of the CP after perusal of the material on record and taking into ^{account} the submissions made by the learned counsel for the respondents.

3. By the Tribunal's aforesaid order dated 11.4.2001, respondents had been directed to dispose of applicant's several representations and communicate their decision thereon expeditiously, and within three

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months from the date of receipt of a copy of that order. In case of default, respondents were directed to release all the service benefits which would otherwise become available to the applicant namely, annual increments, selection grade etc. since 1993.

4. Learned counsel for the respondents has invited our attention to respondents' letter dated 22.8.2001 (Annexure-R1) addressed to the Registrar of this Tribunal in which it has been stated that applicant had filed the OA after suppressing vital information that departmental enquiry was in progress, and the Inquiry Officer had already submitted his report, and till finalisation of disciplinary proceedings his suspension period could not be regularised. It is also been stated in the letter that applicant had not made the Directorate of Health Services as a party in the OA, and hence it has been suggested that the Tribunal may initiate contempt proceedings against the applicant.

5. Whatever may be truth of the contents of the aforesaid letter dated 22.8.2001, we are of the considered opinion that it cannot be termed as compliance of the Tribunal's order dated 11.4.2001. Respondents were directed to dispose of the applicant's representation, and there is nothing to indicate that the same has been done.

6. As there is none appeared on behalf of the applicant, to press the CP, we dispose of the same with a direction to the respondents to dispose of applicant's representations listed in the order dated


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11.4.2001 by a detailed, speaking and reasoned order in accordance with rules and instructions under intimation to the applicant within two months from the date of receipt of a copy of this order.

7. If any grievance survives, it will be open to the applicant to agitate the same in accordance with law. CP is disposed of accordingly. Notices issued to the respondents are discharged. No costs.

8. Before parting with the case, the learned counsel for the respondents made ^{an} statement that applicant had already been given Rs.1,26,287/- vide Cheque No.924388 dated 31.10.2001 (Annexure R-5).


(S.R. ADIGE)
VICE-CHAIRMAN(A)


(ASHOK AGARWAL)
CHAIRMAN

/RAO/