

Central Administrative Tribunal,
Principal Bench

C.P. No.50/2002 IN O.A. No.1679/2001 ✓
WITH
C.P. No.49/2002 IN O.A. No.1786/2001

New Delhi this the 13th day of March, 2002

Hon'ble Smt. Lakshmi Swaminathan Vice Chairman (J)
Hon'ble Mr. V.K. Majotra, Member (A)

CP NO.50/2002 in OA No.1679/2001

Shri Charan Singh
S/o Shri Khubi
R/o Village Shobhapur,
P.O. Kankarkhera, Meerut Cantt.
Meerut (U.P.).

- Petitioner

(By Advocate : Shri S.K. Gupta for Shri B.S. Gupta)

Versus

1. Shri V.P. Singh,
Deputy Director General,
Military Farms,
OMG Branch, Block-III,
R.K. Puram, New Delhi.
2. Shri Charan Singh,
Additional Director,
Military Farms/Officer Incharge,
Military Farm No. II,
Mawana Road, Meerut Cantt.,
Meerut (U.P.)

- Respondents

(By Advocate : Shri A.K. Bhardwaj)

CP NO.49/2002 in OA No.1786/2001

Shri Sunil
S/o Shri RAju
R/o Staff Quarters,
Mawana Road, Meerut Cantt.
Meerut (U.P.).

- Petitioner

(By Advocate : Shri S.K. Gupta for Shri B.S. Gupta)

Versus

1. Shri V.P. Singh,
Deputy Director General,
Military Farms,
OMG Branch, Block-III,
R.K. Puram, New Delhi.
2. Shri Charan Singh,
Additional Director,
Military Farms/Officer Incharge,
Military Farm No. II,
Mawana Road, Meerut Cantt.,
Meerut (U.P.)

- Respondents

(By Advocate : Shri A.K. Bhardwaj)

VS

ORDER (ORAL)

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

We have heard Shri S.K. Gupta, learned proxy counsel for petitioner and Shri A.K. Bhardwaj, learned counsel for respondents.

2. CP No.50/2002 has been filed for non-implementation of Tribunal's order dated 3.8.2001 in OA No.1679/2001 which was a common order in which OA Nos.1695/2001 and 1786/2001 had also been disposed of. In the latter case, i.e., OA No.1786/2001, a CP No.49/2002 has been filed for non-implementation of the same order dated 3.8.2001. We ^{accordingly} proceed to dispose of both CP No.50/2002 in OA No.1679/2002 and CP No.49/2002 in OA No.1786/2001 by passing a common order.

3. Both learned counsel submit that the Hon'ble High Court of Delhi has issued a stay order against the aforesaid order dated 3.8.2001, namely, whether the DOP&T's OM dated 10.9.1993 is an on-going Scheme or a one time scheme under reference to a Larger Bench of the Hon'ble High Court of Delhi.

4. Noting the above facts and circumstances of the case, we do not consider it necessary or appropriate to proceed further in CP No.50/2002 and CP No.49/2002, as the issues are subjudice before the Larger Bench of the Hon'ble High Court of Delhi.

5. In view of what has been stated above, CP No.50/2002 in OA No.1679/2001 and CP No.49/2002 in OA No.1786/2001 are disposed of, leaving it open to the petitioners to

8/11

(3)

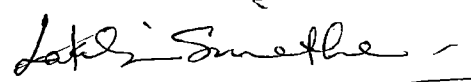


pursue the remedies, if so advised, in accordance with law. Accordingly notices issued to the alleged contemnors are discharged. File be consigned to the record room.

6. Let a copy of this order also be placed in CP No.49/2002 in 1786/2001.



(V.K. Majotra)
Member (A)



(Smt. Lakshmi Swaminathan)
Vice Chairman (J)

/ravi/

STAY

3

Copy of Order/Stay/MASTI

DATE: _____

NAME: _____

From:

The Registrar General,
Delhi High Court,
New Delhi.

27/6/02
11/3/02

To:

1. Mr. Charan Singh S/o Shri Khubbi,
R/o Village Sabhapur, PO Anup Nagar, Fazalpur
Distt. Merrut (U.P.)
2. The Registrar, Central Administrative Tribunal,
Principal Bench, Faridkot House, New Delhi.

CIVIL MISC. PETITION NO. 2464/02

And

CIVIL WRIT PETITION NO. 1451/02

Union of India & Others

PETITIONER

VERSUS

Sh. Charan Singh & Another

RESPONDENT

Sir,

In continuation of this Court's letter No. _____
dated _____ I am directed to forward for
information and immediate compliance a copy of order
dated 01.03.2002 passed by Division Bench /
_____ of this
Court in the above noted case.

Please acknowledge receipt.

Yours faithfully

O.A. No. 1679/01

Handwritten signature

Deputy Registrar (Writs)
For Registrar General

P.T.O.

CAT (Pet) New Delhi
Receipt No. _____

11/3 1253/pe

635
14/08/02

35/5(Cad)
13/3/2002

11/07/02
Handwritten signature

13/3

1.6.01
138
201

Pethur

24/01/02
Sikri

dates

(15)

H.C.D.—I(a) Continuation Sheet

Sr. No.	Date	Orders
	% + *	<p>01.03.2002</p> <p>Present: Mr. A.K. Bhardwaj for the petitioners.</p> <p><u>CWP No.1451/2002</u></p> <p>Rule.</p> <p>Since a similar question of law has been referred to Full Bench in CWP No.79/2002, we are of the opinion that this matter may be considered by a Full Bench.</p> <p>Let complete set of paper book be supplied to the learned counsel for the respondent within one week.</p> <p>Place the matter before the Chief Justice, (Administrative Side) with records.</p> <p>To be heard with <u>CWP No.79/2002.</u></p> <p><u>CM. 2464/2002</u></p> <p>In the meantime, there shall be a stay of the operation of the impugned order dated 3rd August, 2001 passed in OA No.1679/2001.</p> <p>March 01, 2002 m</p>



Sd/-
Chief Justice
Sd/-
A.K.Sikri
Judge
True Copy
Examiner