

42

CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH
NEW DELHI.

C.P.No.282/98

IN

O.A.No.907/95

Decided on 23rd February 1999

HON'BLE MR.S.R.ADIGE, VICE CHAIRMAN (A).

HON'BLE MR.T.N.BHAT, MEMBER(J)

Mrs. Meena Jain,
W/o Dr. Dharampal,
R/o Room No.16,
2nd Floor, Nurse Hostel,
Dr. Ram Manohar Lohia Hospital,
New Delhi -01 Applicant.

(By Advocate: Shri B.B.Rawal).

Versus

1. Shri K.K.Bakshi,
Secretary,
Ministry of Health and Family Welfare,
Govt. of India,
Nirman Bhawan,
New Delhi -01.
2. Dr. C.P. Singh,
Medical Superintendent,
Willingdon Crescent,
Dr. Ram Manohar Lohia Hospital,
New Delhi -01.
3. Shri M.K.Malhotra,
Deputy Director(Admn),
Willingdon Crescent,
Dr. Ram Manohar Lohia Hospital,
New Delhi -01.
4. Mrs. M. Amos,
Acting Nursing Superintendent,
Dr. Ram Manohar Lohia Hospital,
Willingdon Crescent,
New Delhi-01.
5. Mrs. Jasbir Walia,
Nursing Sister,
Dr. Ram Manohar Lohia Hospital,
Willingdon Crescent,
New Delhi -01 ... Respondents.

(By Advocate: Shri Madhav Paniker)

ORDER

HON'BLE M.R.S.R. ADIGE VICE CHAIRMAN (A).

We have heard applicant's counsel Shri Rawal and respondents' counsel Shri Paniker on C.P. No.282/98 alleging contumacious non-implementation of the Tribunal's order dated 26.5.98 (Annexure-CP-1) in O.A.No.907/95.

2. It is not denied that pursuant to the operative portion of the aforesaid order dated 26.5.98 contained in para 8 thereof, respondents by office order dated 19.8.98 (Annexure-I to reply) have withdrawn their order dated 1.5.95 reverting applicant and restored her to the status she had prior to the issue of that order dated 1.5.95 and have also paid the difference in pay and allowances for the relevant period amounting to Rs.16,557/- (Annexure-II). Hence no cause for initiating contempt proceedings against respondents arises.

3. Shri Rawal has contended that vacancies of Nursing Sister were available from a much earlier date against which applicant could have been promoted, but there was no direction in the impugned order dated 26.5.98 to consider applicant for a promotion as Nursing Sister from an earlier date and that cannot be taken as a ground in the present C.P. at this stage to initiate contempt proceedings against respondents.

4. The C.P is therefore rejected and notices to alleged contemnors are discharged.

[Signature]
(T.N.BHAT)
MEMBER(J)

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[Signature]
(S.R.ADIGE)
VICE CHAIRMAN (A).