

CENTRAL ADMINISTRATIVE TRIBUNAL
Principal Bench

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C.P. No.104 of 1997
in
O.A. No.805 of 1995

New Delhi, dated this the 15th April, 1997

HON'BLE Mr. Justice K.M. AGARWAL, CHAIRMAN
HON'BLE MR. S.R. ADIGE, MEMBER (A)

Shri C.S.Arora,
382, Asiad Village Complex,
New Delhi-110049.- ... PETITIONER

By Advocate: Shri D.C.Vohra

VERSUS

1. Shri K. Padmanabhaiah,
Secretary,
Ministry of Home Affairs,
North Block,
New Delhi-110001.
2. Dr. M. Vijanunni,
Registrar General of India,
2A, Mansingh Road,
New Delhi-110011. ... CONTEMNERS/
RESPONDENTS

ORDER (Oral)

BY HON'BLE MR. JUSTICE K.M. AGARWAL, CHAIRMAN

Heard learned counsel for the
applicant on C.P. No.104 of 1997.

2. By interim order dated 21.11.95 in
O.A. No.805/95 the Tribunal was pleased to
direct the Respondents to allow the applicant
to hold the post of Director, EDP on ad hoc
basis subject to certain conditions. By
subsequent order dated 25.3.97 (Ann. CP-4)
it appears that although the applicant was
not reverted the pay scale of the post was
down-graded. Learned counsel for the
applicant states that this down-gradation is
disobedience of interim order dated 21.11.95
of the Tribunal.

For

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2. Since the Contempt of Court proceedings can be initiated against the respondents if there is any act of omission and commission on the part of the respondents against the order of the Tribunal, we find from the interim order that there is reason for the down-gradation of the pay scale. Under the circumstances, we feel that no case for contempt of court proceeding is made out against the Respondents though applicant may have a right to challenge the order dated 25.3.97 by filing a separate O.A. Accordingly the Contempt Petition is summarily dismissed with liberty to the applicant to file a fresh O.A. in accordance with law if so advised.

Km

(K.M.AGARWAL)

Chairman

S.R. Adige

(S.R.ADIGE)
Member (A)

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