

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. No. 22 of 1999
M.A. No. 2341 of 1999
in
O.A. No. 788 of 1997

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New Delhi, dated this the 2nd November, 1999

Hon'ble Mr. S.R. Adige, Vice Chairman (A)
Hon'ble Mrs. Lakshmi Swaminathan, Member (J)

Shri Raju ... Petitioner
(By Advocate: Shri D.S. Garg)

Versus

1. Dr. C.P. Singh,
Medical Superintendent
Dr. R.M.L. Hospital,
New Delhi.
2. Shri P.P. Chauhan,
Secretary to Government of India,
Ministry of Health & F.W.,,
Nirman Bhawan,
New Delhi. Respondents

(By Advocate: Shri Madhav Panikar)

ORDER (Oral)

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

Heard both sides.

2. We are informed that after the Tribunal passed orders dated 18.12.97 in O.A. No. 788/97 Respondents had filed R.A. No. 31/99 which was rejected.

3. Meanwhile applicant had filed C.P. No. 22/99 which was adjourned sine die till the disposal of the R.A. After the disposal of the R.A. Respondents have passed orders dated 7.9.99 (Annexure A-2) from which it is clear that applicant's case has been considered for engagement, pursuant to the Tribunal's order dated 18.12.97.

4. Shri Garg has voiced certain grievances in regard to the aforesaid order dated 18.12.97, but in the background of the Hon'ble Supreme Court's judgment in J.S. Parihar Vs. G. Duggar & Others JT 1996 (9) SC 608, which lays down that

"Once there is an order passed by the Govt. on the basis of the directions issued by the Court, there arises a fresh cause of action to seek redress in an appropriate


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forum, a contempt petition would therefore not arise."

5. As Respondents have passed orders dated 7.9.99 pursuant to the Tribunal's order dated 18.12.97 it amounts to a fresh cause of action and if applicant is aggrieved by that order the remedy available to him is to file a fresh O.A. if so advised.
6. Under the circumstances giving liberty to applicant as aforesaid this C.P. is rejected. Notices are discharged.



(Mrs. Lakshmi Swaminathan)
Member (J)



(S.R. Adige)
Vice Chairman (A)

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