

Central Administrative Tribunal
Principal Bench

C.P. No. 240 of 2001
in
O.A. No. 909 of 1997

70

New Delhi, dated this the 30th October 2001

HON'BLE MR. S.R. ADIGE, VICE CHAIRMAN (A)
HON'BLE DR. A. VEDAVALLI, MEMBER (J)

Shri Dharam Pal,
S/o Shri Ram Sarup,
Postman in H.A.U. Hisar Post Office,
under Haryana Postal Circle,
C/o Shri Sant Lal, Advocate,
R/o C-21 (B0 New Multan Nagar,
Delhi-110056.

..Applicant

(By Advocate: Shri Sant Lal)

Versus

1. Shi B.N. Som,
Secretary,
Ministry of Communications,
Dept. of Posts,
Dak Bhawan,
New Delhi-110001.
2. Shri T.R. Sharma,
Chief Postmaster General,
Haryana Circle,
Ambala Cantt. 133001.
3. Shri S.B. Malhotra,
Superintendent of Post Offices,
Hasar Division,
Hisar-125001, Haryana.

.. Respondents

(By Advocate: Shri K.R. Sachdeva)

ORDER

S.R. ADIGE, VC (A)

Heard both sides on C.P. No. 240/2001
alleging contumacious disobedience of the Tribunal's
order dated 30.1.2001 disposing of O.A. No.909/97
and connected case.

2. By the aforesaid order dated 30.1.2001
both O.As were disposed of with a direction to

2

(H)

respondents to recalculate the vacancies carefully in respect of the promotion (departmental examination) quota between 1.1.96 and 31.12.96 which became available for filling up through departmental examination which was held on 28.7.96 and consider applicant's claim for promotion against the same in accordance with rules and instructions by a detailed, speaking and reasoned order within three months from the date of receipt of a copy of this order.

3. Pursuant to the above respondents have passed detailed orders on 7.4.2001 (Ann. P-2).

4. Applicant is aggrieved with its contents including its accuracy and correctness, but having regard to the Hon'ble Supreme Court's ruling in J.S. Parihar Vs. G. Duggar & Others JT 1996 (9) SC 608 as well as C.A. No. 5089-5090 of 1998 T. Sudhakar Prasad Vs. State of Andhra Pradesh & Others that ^{by} ~~being~~ itself is no ground to initiate contempt proceedings against respondents. If applicant is aggrieved by respondents' order dated 7.4.2001 it is open to him to assail the same separately in accordance with law, if so advised.

~

42

5. Giving leave to applicant as aforesaid
the C.P. is dropped. Notices discharged.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

karthik

S.R. Adige

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