

Central Administrative Tribunal  
Principal Bench

C.P. No. 299 of 1999  
C.P. No. 131 of 1998  
in  
O.A. No. 743 of 1997

New Delhi, dated this the 13th July, 2000

Hon'ble Mr. S.R. Adige, Vice Chairman (A)  
Hon'ble Mr. Kuldip Singh, Member (J)

In the matter of:

Brij Bhushan Gupta Vs. Union of India & Ors.

Between

B.B. Gupta .. Petitioner

(None appeared)

Versus

1. Shri Ajit Kumar,  
Secretary  
Ministry of Defence,  
South Block,  
New Delhi-110011. .. Respondent
2. Col. S.S. Majumdar,  
Commander Works Engineer,  
29-J, The Mall,  
Meerut Cantt.
3. Maj. Genl. S.S. Karki,  
Chief Engineer,  
Engineering Branch/HQ Central Command,  
Lucknow-2.
4. Lt. Genl. N.R. Khanna,  
Engineer-in-Chief,  
Army HQ/Kashmir House,  
D.H.Q. P.O.,  
New Delhi-110001. .. Respondents

(By Advocate: Shri V.S.R. Krishna)

ORDER (Oral)

MR. S.R. ADIGE, VC (A)

In this C.P. No. 299/99 applicant alleges contumacious disobedience of the Tribunal's order dated 7.11.97 in O.A. No. 743/97.

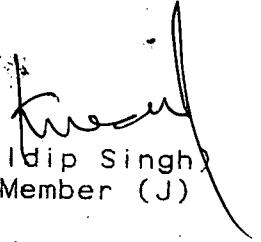
2. Applicant had earlier filed C.P. No. 131/98 in which the same allegations had been made.

(19)

After noting respondents counsel's contention that pursuant to the Tribunal's order dated 7.11.97 in O.A. No. 743/97, respondents had passed order dated 27.2.99, by which applicant's grievances had been redressed, and certain payments had also been made to him, the Bench held that it could not be said that a case was made out for initiating contempt action against respondents. Accordingly C.P. No. 131/98 was dismissed and notices against alleged contemnors were discharged. Liberty was given to applicant in the event any grievance survived arising out of the respondents' order dated 27.2.99, it would be open to him to agitate the same in accordance with law, after exhausting available remedies, if so advised.

3. In the light of the above the present C.P. on the same issue does not survive and the same is dismissed. Notices are discharged.

4. It is reiterated that in the event any grievance still survives arising out of respondents' order dated 27.2.99, it gives applicant a fresh cause of action, which he may impugn separately through appropriate original proceedings in accordance with law, if so advised.

  
(Kuldeep Singh)  
Member (J)

/GK/

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