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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 351/1997

in

O.A. NO.1627/1997

New Delhi this the 14th day of January, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

1. Shiv Kumar S/O Abhey Ram
2. Deepak Kapoor S/O R. P. Kapoor
3. Ms. Satya Rani W/O C. R. Nuna
4. Laxman Singh S/O Kharak Singh
5. Raj Kishore Sharma S/O Durga Prasad
6. Mewa Lal Yadav S/O Saran Yadav
7. Om Prakash Singh S/O M. N. Singh
8. R. S. Saini S/O Deep Chand Saini
9. Ms. Poonam Perva W/O Om Prakash Perva
10. Suresh Pratap Singh S/O Matadin Yadav
11. Raghav Prasad Gupta S/O D. D. Prasad Gupta
12. Sankatha Prasad Maurya S/O Ram Anand
13. Santosh Kumar S/O Birbal Singh
14. Jai Prakash TR S/O Turi Ram
15. Laljeet Yadav S/O R. R. Yadav
16. Prem Singh S/O Mahabir Singh

All employed as Sr. Telegraph Operating
Assistants under C.T.O. New Delhi
and C.G.M. Telecom (NTR),
New Delhi.

... Applicants

(By Shri Sant Lal, Advocate)

- Versus -

1. Shri A. V. Gokak,
Secretary, Ministry of
Communications, Sanchar Bhawan,
New Delhi-110001.
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2. Shri P. K. Sampat Kumar,
Chief General Manager
Telecommunications (NTR),
Kidwai Bhawan,
New Delhi-110001.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal,

The respondents have filed a reply saying that the directions made by this Tribunal on 37.7.1997 in O.A. No. 1627/97 have been complied with. A copy of the order passed on the representation made by the applicants has also been filed as Annexure R-1.

2. The learned counsel for the applicant submitted that the representation was addressed to the Secretary, Department of Telecommunications but it has been disposed of by Assistant General Manager (TT) and, therefore, it cannot be said to be proper compliance with the directions made by the Tribunal.

3. The directions of the Tribunal were to the following effect :-

"In the circumstances of the case, we are of the view that this O.A. may be disposed of at the admission stage itself by directing the respondents to dispose of the representation dated 12.8.1996 within a period of one and a half months from the date of receipt of a copy of this order. We also direct the applicants to furnish a copy of the representation to the respondents immediately within ten days

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from the date of this order so as to avoid any delay, if the representation is not traceable in the office of the respondents."

4. A perusal of the directions would show that all the respondents were directed to dispose of the representation dated 12.8.1996 made by the applicants. If the representation was addressed to the Secretary, Department of Telecommunications and decided by any one of the respondents, that may be sufficient compliance with the directions made by the Tribunal, but the argument is that the Assistant General Manager (TT) was not a respondent and, therefore, he could not have disposed of the representation.

5. We are of the view that Assistant General Manager (TT) is admittedly an officer in the office of the Chief General Manager, Northern Telecom Region, New Delhi who was the second respondent in the O.A. We are, therefore, of the view that by passing order on the representation of the applicants by the Assistant General Manager, there has been sufficient compliance with the order made by the Tribunal. We are, therefore, of the view that there remains no case to proceed against the respondents for contempt. However, if the applicants feel aggrieved by the order

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passed on their representation, they are at liberty to file a fresh application on whatever grounds they are advised to challenge the order. Their right was also reserved earlier in the O.A.

6. Subject to the observations aforesaid, this contempt petition is disposed of. The rule nisi is discharged.

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(K. M. Agarwal)
Chairman

Allocha

(R. K. Ahooja)
Member (A)

/as/