

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 95/1998
in
O.A. NO. 2485/1997

(3)

New Delhi this the 24th day of March, 1998.

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN
HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Vijay Bahadur Singh S/O Ram Singh
Assistant Commissioner of Income Tax,
Room No. 501, Income Tax Office,
Sanjay Place,
Agra.

... Applicant

(By Shri K. B. S. Rajan, Advocate)

-Versus-

1. Shri N. K. Singh,
Revenue Secretary,
Ministry of Finance,
Department of Revenue,
North Block,
New Delhi-110011.
2. Shri T. K. Das,
Chief Commissioner of Income Tax,
Income Tax Office,
Aayakar Bhawan,
16/69, Civil Lines,
Kanpur.

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

Heard the learned counsel for the applicant on admission.

2. In OA No. 2485/97 decided on 5.12.1997, this Tribunal was pleased to quash the proposal for cancellation of promotion given to the applicant on 8.5.1997. There was no further order either to give him posting against any particular post or to continue

Jm

to pay salary etc. Although after the proposal to cancel the promotion order was quashed, the respondents were expected to allow the applicant to continue in the post that he held before the impugned order that was challenged in OA No. 2485/97 was passed and to pay him his salaries, and if that is not done, we are of the view that the respondents cannot be held guilty of contempt. The remedy of the applicant is to file a separate application for his alleged grievance because the cause of action for that arose subsequent to the date of disposal of OA No. 2485/97.

3. Accordingly, this application for contempt is hereby dismissed with liberty to file a fresh original application, if so advised.

Km
(K. M. Agarwal)
Chairman

R. K. Ahooja
(R. K. Ahooja)
Member (A)

/as/