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CENTRAL ADMINISTRATIVE TRIBUNAL PRINCIPAL BENCH

C.P. No. 66/98

IN

O.A. No. 944/96

New Delhi: this the 26th May, 1998.

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

Sh. Gulshan Jit Singh Ahluwalia,
17B/28, Dev Nagar, Karol Bagh,
New Delhi - 110005

... Applicant.

(Applicant in person)

Versus

Union of India
through

Shri Ajit Kumar,
Secretary,
Ministry of Defence,
South Block,
New Delhi - 110001

2. Lt. General A.N. Sinha AVSM E-in-C,
E-in-C's Branch, A.H.Qrs. Kashmir House,
New Delhi - 110001.

3. Maj. General IJS Dhillon,
Chief Engineer, Western Command,
Chandi Mandir, Haryana

... Respondents.

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

ORDER

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

Applicant alleges contumacious
disobedience of the Tribunal's judgment dated
5.8.97 in O.A. No. 944/96.

2. We have heard applicant in person and
Shri Krishna for respondents.

3. Shri Krishna has invited our attention
to the contents of respondents' letter dated
26.12.97 (Annexure-C -4) in which it has been
stated that pursuant to that judgment all payments

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have been made to applicant vide annexure to that letter, except leave encashment for which bill has been forwarded for audit and authorisation of payment. The annexure to that letter gives the position as on 26.12.97 in respect of applicant's outstanding claims as required to be paid to him in terms of the Tribunal's aforesaid judgment dated 5.8.97.

4. A perusal of the C.P. makes it clear that applicant has challenged the correctness of respondents' calculations in certain cases, and has also claimed certain sums not specifically covered by the impugned judgment dated 5.8.97. Such pleadings cannot form the basis of initiating contempt proceedings against respondents as there is nothing to indicate that respondents have deliberately, wantonly and malafidely sought to disobey the Tribunals' orders. Shri Krishna has very fairly stated that if any sums of money claimed by applicant still remain unpaid, applicant may file a representation to the respondents which will be examined and disposed of expeditiously in accordance with rules and instructions.

5. Noting the aforesaid statement of Shri Krishna and giving applicant liberty to file the aforementioned representation, this C.P. is dropped and notices to respondents are discharged.

6. When this matter was heard on 6.5.98 applicants had sought time to file written

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submissions and had been granted 10 days' time for the purpose. No written submissions have been filed by him till date.

A. Vedavalli

(DR. A. VEDAVALLI)
MEMBER(J)

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(S. R. ADIGE)
VICE CHAIRMAN (A).

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