

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

C.P. NO. 100/1998  
in  
O.A. NO. 1519/1996

(3)

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

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

Shri Leela Dhar S/O Mangal Ram,  
R/O H.No. 106, Kilokri Village,  
New Delhi-110014. .... Applicant

( By Shri O. P. Sood, Advocate )

-Versus-

1. Shri P. R. Dass Gupta,  
Secretary, Min. of H.R.D.  
(Dept. of Culture),  
Shastri Bhawan,  
New Delhi.
2. Shri Ajay Shankar,  
Director General,  
Archaeological Survey of India,  
Janpath,  
New Delhi-110001.
3. Shri Dharam Vir Sharma,  
Superintending Archaeologist,  
Archaeological Survey of India,  
Delhi Circle, Safdarjung Tomb,  
New Delhi. .... Respondents.

O R D E R (ORAL)

Shri Justice K. M. Agarwal :

Heard the learned counsel for the applicant on admission.

2. Pursuant to the direction made by this Tribunal on 2.7.1997 in OA No. 1519/97, the respondents considered the claim of the applicant for temporary status and thereafter informed him that his

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claim could not be upheld for the reasons stated in the reply. The learned counsel for the applicant submitted that the reply could not be said to be a reasoned order as directed to the respondents by this Tribunal in the said OA. We find no substance in the contention. Reasons are sufficient, consideration was there and, therefore, now the remedy of the applicant is to file a fresh application if he considers that the reasons were not sufficient and he was entitled on the facts mentioned by him to get the said status. But no case for contempt is made out against the respondents.

3. Accordingly, the application for contempt is hereby dismissed with liberty to the applicant to re-agitate the matter by filing fresh proceedings, if so advised.

4. After we had dictated the order, the learned counsel said the order 'saying 'considered and rejected' cannot be said to be a speaking order. We quite agree with him, but here the order passed is not in two words as submitted by the learned counsel. In paragraph 3 of the application for contempt, the applicant has reproduced the order dated 16.10.1997 which is in following words :-

"It is regretted to inform you that scheme applicable for giving temporary status is not applicable to Sh. Leeladhar as you do not fulfil the requisite provisions of 240 days in a year upto Sep 1993 in six days a

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week as provided in the said scheme. You are directed to report the circle office immediately in this regard for any clarifications in the matter."

5. Reply dated 16.10.1997 has also been filed as Annexure-C. That order which has been reproduced fulfills the requirements of the directions given by the Tribunal in the said OA and, therefore, we reiterate that no case for contempt is made out. The application is dismissed.

*km*  
( K. M. Agarwal )  
Chairman

*R. K. Aboja*  
( R. K. Aboja )  
Member (A)

/as/