

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH
NEW DELHI.

Date of Decision: 31.1.1997

1) C.P.No.155/96

IN

O.A.No.358/96

Kashi Ram s/o Sh. KHR Kchauban,
R/o B-25, Gali No.1,
Harijan Basti, Meest Nagar,
Gokulpuri, Shahdara,

2. Tejvir Singh s/o Sh. Sukhbir Singh,
R/o 132-B, Gali No.3, Ganga Vihar,
Delhi-94.

3. Rambir Singh s/o Balu Chand,
R/o Tunda Nagar, Shahdara, Delhi

.....Applicants

Versus

1. Sh. P.K.Loreng, IPS Commandant,
Delhi Home Guard Miskhan Sawa,
Bhawan Raja Garden,
New Delhi.

2. Shri Om Prakash District Staff Officer,
Delhi Home Guard,
P.S.Shahdara,
Delhi.

.....Respondents

2) C.P.No.152/96

IN

O.A.No.284/96

Pawan Kumar & 12 others

Applicants.

Versus

1. Sh. P.K.Loreng, IPS Commandant,
Delhi Home Guard Miskhan Sawa,
Bhawan Raja Garden, New Delhi.

2. Sh. Om Prakash, District Staff Officer,
Delhi Home Guard,
P.S.Shahdara,
Delhi.

3. Shiv Ram Chikera, DSD,
Delhi Home Guards Distt.
Central Vikas Bhawan,
1st Floor, 10
New Delhi -2

Respondents.

Shri Rishi Kesh, Advocate for the applicants.

Shri Nareesh Kaushi, Advocate for the respondents.

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

ORDER

BY HON'BLE MR. S. R. ADIGE, MEMBER (A).

These two C.Ps are being disposed of by this common order.

2. In both C.Ps contumacious disobedience of Tribunal's interim orders dated 15.2.96 and 6.2.96 respectively directing continuance/^{non-disengagement} of the applicants as Home Guards, is alleged.

3. Respondents in their reply admit that after issue of the interim orders dated 15.2.96 and 6.2.96 the applicants were discharged from the Home Guard force, but contend that this was done because of their indiscipline, irregularity and unauthorised absence from duty. These allegations are denied by the applicants.

4. It goes without saying that whatever reasons impelled the respondents to discharge the applicants, after the interim orders dated 15.2.96 and 6.2.96 were passed directing their continuance/^{non-disengagement} prior permission of the Court should have been taken.

5. Respondents' counsel has expressed unqualified apology on behalf of his clients and the same is also contained in the reply filed on behalf of the respondents by Shri P.K. Loreng, Commandant, Home Guards. In addition Shri Loreng has also filed a personal affidavit supported by orders withdrawing the notices of discharge. In C.P.No.155/96 we are informed that all the 3 applicants have since rejoined, and in C.P.No.152/96, 12 out of the 13 applicants have rejoined.

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6. Applicants in the 2 C.Ps have pressed for emoluments for the period they remained disengaged. This prayer will be examined at the time the two OAs which have given rise to the present C.Ps are finally heard.

7. In the facts and circumstances noticed above, and having regard to the unqualified apology submitted by Shri Loreng, Commandant Home Guards, which we accept, these contempt proceedings are dropped and notices are discharged.

8. Let a copy of this order be kept on the file of C.P.No.152/96 in O.A.No.284/96.

(DR.A.VEDAVALLI)
MEMBER(J).

(S.R.ADIGE)
MEMBER(A).



Court Officer
Central Administrative Tribunal
Principal Bench, New Delhi
Parade Ground, New Delhi 110002

/ug/

CCP/152/96
disposition 31/12/97

on not admitted
Comdant Loreng's P/29 ✓
Regdly filed at F/13 P/131 ✓
Pleadings complete
Case may be listed before
Hon Bench for admission
re.

