

(17)

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH
NEW DELHI

C.P. 211/96 in
O.A. 1797/96

New Delhi this the 10th day of October, 1996.

HON'BLE SHRI A.V. HARIDASAN, VICE CHAIRMAN
HON'BLE SHRI K. RAMAMOORTHY, MEMBER (A)

Hem Raj S/o Shri Murari Lal
R/o H.No. 218, Type II, Mayapuri,
Press Colony, New Delhi.

.....Applicant

(By advocate: Shri U. Srivastava)

Versus

1. Shri Joginder Singh, Director,
C.B.I., C.G.O. Complex,
Block No. IV, Lodhi Road,
New Delhi-3.
2. Shri A.K. Sinha, S.P., C.B.I.,
Anti Corruption Unit VIII,
Block No. IV, 3rd Floor, C.G.O. Complex,
Lodhi Road, New Delhi-3.

(By advocate: Shri Madhav Panikar)

ORDER (ORAL)

BY HON'BLE SHRI A.V. HARIDASAN, V.C. (J)

This Contempt Petition arises out of Interim Order passed on 23.8.96 in O.A. 1797/96 wherein the respondents were directed to maintain the status-quo in regard to continuance of the petitioner as a casual labourer. Alleging that the respondents have defied the said order by terminating the petitioner's services on the afternoon of 29.8.96. This contempt petition has been filed praying that action be taken against the respondents.

Notice had been issued to Shri A.K. Sinha, the second respondent. A reply was filed in which it was stated that the services of the petitioner were

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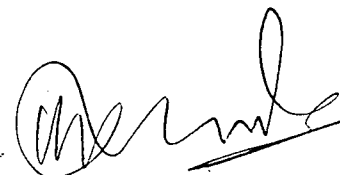
terminated on 16.8.96 even before the Interim Order was received and a copy of the order by which the respondents had terminated the services of the petitioner was also enclosed. Noting that though the order of termination was signed on 21.8.96 as indicated on the right hand side and on the top of the letter the date 4.9.96 was ^{written,} we felt that it is necessary to get the matter clarified and for that purpose we directed Shri A.K.Sinha to be present in court and also to make available the Attendance Register.

When the matter came up today Shri Sinha appeared in person. He produced the attendance register for our perusal in addition to having filed two affidavits, one by the Head Clerk and the other by the Inspector Incharge. In these affidavits the Head Clerk as also the Inspector Incharge have stated that in accordance with the practice followed in the C.B.I. the orders are signed on the bottom with date ^{and the date} mentioned on the right hand side at the top indicates only the date of despatch.

Shri A.K.Sinha who is present in court states that he never had any intention to disregard the court's directions. On perusal of the materials now ^{placed} before us, we are satisfied that the respondents have not shown any disrespect to the court's order and we are of the view that there is no need to proceed with this Civil Contempt Petition any longer. The C.P. is, therefore, dismissed and notice issued to the respondents is discharged.



(K. RAMAMOORTHY)
MEMBER (A)



(A.V. HARIDASAN)
VICE CHAIRMAN