

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH NEW DELHI

C.P. 211/2001 IN
O.A. 1375/1996

(12)

New Delhi this the 3rd day of May 2001.

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)
Hon'ble Shri Govindan S. Tampi, Member (A)

Shri Ashok Kumar (Ex. Constable)
R/o Village & PO: Chusa,
PS: Bhora Kalan,
Distt: Mujjaffar Nagar,
Uttar Pradesh.

(By Shri Rajeev Kumar, Advocate)Petitioner

Versus

Shri P.S. Bhushan,
Addl. Dy. Commissioner of Police,
Police Control Room
Sarai Rohilla, Delhi.

.....Contemnor
O R D E R (ORAL)

By Smt. Lakshmi Swaminathan, Vice Chairman (J)

Heard Shri Rajeev Kumar, Learned counsel for the petitioner has stated that the alleged contemnor in CP 211/2001 has willfully disobeyed the Tribunal's order dated 24.4.2000 in OA 1375/1996. He has contended that full back wages have not been granted to the petitioner from the period the applicant was dismissed from service to the date of his re-instatement, for which this contempt petition has been filed.

2. We note that in pursuance of the aforesaid order of the Tribunal dated 24.4.2000, the respondents have passed order dated 27.9.2000. By this order the petitioner has been re-instated in service and the consequential order with regard to regulation of the intervening period between the date of dismissal from service to the date of re-instatement

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(13)

has also been passed as not spent on duty. This order, however, is not in the liking of the applicant. Hence, this contempt petition.

3. In the facts and circumstances of the case, we are unable to agree with the contentions of the learned counsel for the petitioner that by passing the order dated 27.9.2000, the respondents have committed wilful or contumacious disobedience of the Tribunal order dated 24.4.2000 in OA 1375/1996. The contempt petition is accordingly dismissed, leaving it open to the applicant to pursue any other remedies in law, as advised.

(Govindan S. Tampi)
Member (A)
Patwali

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Vice Chairman (J)