

(11)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP-254/96 in
OA-2105/96

HON'BLE MR. JUSTICE CHETTUR SANKARAN NAIR, CHAIRMAN
HON'BLE MR. S.P. BISWAS, MEMBER (A)

New Delhi this the 12th day of November, 1996.

Sunil Kumar,
S/o Sh. Ram Singh Arya,
C-75, DIZ Area, Sector-IV,
Raja Bazar, Gole Market,
New Delhi.

...Petitioner

(By Advocate Sh. Rishi Kesh)
Versus

1. Sh. J.P. Gupta,
Jr. Administrative Officer,
National Museum,
Janpath,
New Delhi-110011.

2. Sh. S.S. Biswas,
Director General,
National Museum,
Government of India,
Ministry of Human Resource Development,
Department of Culture,
Janpath,
New Delhi-110011.

3. Sh. U. Das,
Assistant Director,
National Museum,
Janpath,
New Delhi-110011.

4. Sh. Gurbachan Chand,
Assistant Security Officer,
National Museum,
Janpath,
New Delhi-110011.

...Respondents

(By Advocate Sh. M.M. Sudan)

This Contempt Petition having been heard on 12.11.1996
the Tribunal on the same day delivered the following:

ORDER

Chettur Sankaran Nair (J), Chairman

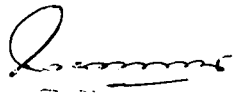
Petitioner alleges contempt of an order of
this Tribunal which reads:

"Issue notice to the respondents to file a
reply within four weeks...The applicant is

continuing on daily wages w.e.f. 5-12-95 till date, and has therefore completed 206 days in continuous service. We find it appropriate to issue ad-interim order directing the respondents not to discontinue the services of the applicant..."

This order of 1.10.1996 was served only on 2.10.1996 or thereafter, it is said. Whatever that be we do not see any justification in proceeding with the Contempt Petition nor do we treat the observation "applicant is continuing on daily wages w.e.f. 5.12.95 till date, and has therefore completed 206 days in continuous service" as a finding. If it is a finding there is nothing more to be decided in the Original Application which was not even admitted on the day when this order was passed. Contempt Petition is dismissed. Notwithstanding that the merits of the matter will be considered in the Original Application.

Dated, 12th November, 1996.


S.P. BISWAS
MEMBER(A)


CHETTUR SANKARAN NAIR (J)
CHAIRMAN

'Sanju'