

13

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI  
CCP No. 404/93 in OA No. 898/93

New Delhi, this the 10th day of December, 1993.

HON'BLE MR JUSTICE S.K.DHAR, VICE CHAIRMAN  
HON'BLE MR B.N.DHOUNDIYAL, MEMBER(A)

1. Shri Bansilal Joshi  
S/O Shri C.L. Joshi  
R/O 1752, Lodhi Road Complex  
New Delhi.
2. Shri Devender Kumar  
S/O Shri Tirath Ram  
R/O 1374, Lodhi Road Complex  
New Delhi. .... Petitioners

( through Mr M.C.Dhingra, Advocate; though  
none appeared today)

vs.

Col. Q.M.U. Siddiqi  
Senior Quality Assurance Officer(L)  
Senior Quality Assurance Establishment  
19/13, National Stadium  
New Delhi. ... .. Respondent.  
Contemner

( through Mr P.P.Khurana, Advocate).

ORDER(ORAL)

PER MR JUSTICE S.K.DHAR, VICE CHAIRMAN

The complaint is that the respondent is  
not carrying out the order dated 22nd July, 1993,  
passed by this Tribunal in O.A.No.898 of 1993.

The material directions are these:

"... the applicant shall be paid salary for  
the month of March and April, 1993 and for  
the future months they have worked with the  
respondents as per their entitlement. If  
the applicants are still aggrieved, they can  
seek remedy in the proper forum subject to  
law/limitation."

2. A counter has been filed on behalf of the  
respondent. In it, it is averred that the applicants
- 24



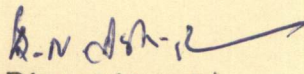
had collected their due salaries on 10th August, 1993 but have not joined duty so far.


3. No rejoinder has been filed. On 7th December, 1993, this petition came up for hearing before us. Shri Bansilal, one of the petitioners appeared in person. He stated that the rejoinder was ready and only some corrections were to be made. He prayed for and was granted three days time to file the same. The matter was directed to be listed on 10th December, 1993.

4. The case has been called in the revised list. No one is present on behalf of the applicant. Under the circumstances, we have no option but to dispose of the petition on the basis of the averments made in the counter affidavit.

5. In view of the averments made in the counter-affidavit, no case for continuing with the contempt proceedings subsists.

6. The application is rejected without any order as to costs.

  
( B.N. Dhoundiyal )  
Member (A).

  
( S.K. Dhaon )  
Vice Chairman

/sds/