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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 145/2000 &
C.P. NO. 182/2000 In
O.A. NO. 493/2000

New Delhi this the 24th day of July, 2000.

HON'BLE SHRI JUSTICE ASHOK AGARWAL, CHAIRMAN

HON'BLE SHRI V. K. MAJOTRA, MEMBER (A)

1. CP No. 145/2000

Shri Banwri Lal
S/o Sh. Kishan Lal
R/o House No. 366, Village Munirka
New Delhi. Petitioner
(None)

-Versus-

1. Shri L.S. Sandhu,
Commandant, Home Guards
Directorate General of Home Guards &
Civil Defence
Nishkam Sewa Bhawan
Raja Garden
New Delhi-110027.
2. Sh. R.S. Gaur
Distt. Staff Officer (South District)
Delhi Home Guards & Civil Defence
Police Station
Sarojini Nagar Complex
New Delhi. ... Respondents

(By Shri Rajinder Pandita, Advocate)

2. 182/2000

1. Shiv Dayal Sharma
S/o Prabhu Dayal
2. Ramesh Kumar
S/o Duli Chand
3. Brijwasi Prasad
S/o Budh Sain
4. Kishan Lal
S/o Ram Chander
5. Prem Chand
S/o Kanhiya Lal
6. Subhash Chand Yadav
S/o R.L. Yadav
7. Tota Ram
S/o Ram Chander
8. Chotey Lal
CSC/351 Motia Khan
9. Santosh Kumar Yadav
S/o Kishori Lal

10. Puran Chand
S/o Chuttan Nath
 11. Ram Achal
S/o Ram Das
 12. Shashi Kumar Thakur
S/o Jai Narayan Thakur
 13. Upender Tripathi
S/o Nahewani Prasad
 14. Chander Bhushan
S/o S. Rai
 15. Bharath Ram
S/o Ram Lal Verma
 16. Nand Kishore
S/o Shiv Lal
 17. Shri Krishan Sharma
S/o Banke Lal Sharma
 18. Satyaveer Singh
S/o Ram Singh
 19. Badri Narayan Jha
S/o Ram Dev
 20. Girdhar Gopal
S/o Onaga Ram
 21. Raj Kumar
S/o Sh. Gaya Ram
 22. Mohan Lal
S/o Roop Ram
 23. Rajeshwar Singh
S/o Ram Pal Singh
 24. Devender Pandey
S/o Nageshwar Pandey
 25. Karam Singh
S/o Ram Prashad
 26. Nav Rattan Lal
S/o Ram Chandra
 27. Shri Bhagwan
 28. Bhagat Ram
S/o Garib Ram
- Petitioners

(None)

vs.

1. Shri L.S. Sandhu,
Commandant, Home Guards
Directorate General of Home Guards &
Civil Defence
Nishkam Sewa Bhawan
Raja Garden
New Delhi-110027.

[Handwritten signature]

2. Sh.R.S.Gaur
Distt. Staff Officer (South District)
Delhi Home Guards & Civil Defence
Police Station
Sarojini Nagar Complex
New Delhi.
3. Sh.S.Wadhawan Singh
Distt. Staff Officer (North Range District)
Delhi Home Guards & Civil Defence
Nishkam Sewa Bhawan, Raja Garden
New Delhi-110027. ... Respondents

(By Shri Rajinder Pandita, Advocate)

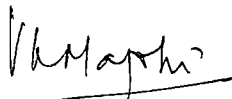
O R D E R (ORAL)

Shri Justice Ashok Agarwal :

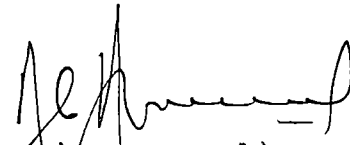
Applicants and their advocate are absent. Violation of an interim order passed on 30.3.2000 in OA No.493/2000 is made the basis of the present Contempt Petition. By the aforesaid order stay was granted to orders of discharge of the applicants as Home Guards. It undisputed that the applicants had been discharged as Home Guards prior to the passing of the aforesaid interim order. If the applicants had already stood discharged as Home Guards prior to the passing of the aforesaid interim order which order does not call upon the respondents to re-engage the applicants as Home Guards, there can be no breach of the order of stay of discharge orders which have already been implemented. Respondents in the circumstances, cannot be held guilty of contempt. Aforesaid order does not call upon them to re-engage the applicants. Hence refusal by respondents to re-engage the applicants will not amount to disobedience of the orders of stay.



2. Present Contempt Petition^A in the
circumstances ~~are~~ rejected. Notices issued are
discharged. No order as to costs.


(V.K. Majotra)
Member (A)

sns


(Ashok Agarwal)
Chairman