

CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

CP 270/2001  
IN  
OA 1554/2000

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New Delhi, this the 1st day of November, 2001

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

1. Shri Rajkumar  
S/o Shri Sher Singh  
R/o A-238, Kasumpur Pahari  
Vasant Vihar, New Delhi.
2. Shri Rajesh Kumar  
S/o Shri Chet Ram  
R/o A-241, Shakarpur, J.J.Colony  
Delhi.
3. Shri Naresh Kumar  
S/o Shri Dhanpat Singh  
R/o Sector-7/435  
R.K.Puram, New Delhi.
4. Shri Suresh Kumar  
S/o Shri Banwari Lal  
R/o A-629, Kusumpur Pahari  
Vasant Vihar, New Delhi.
5. Shri Santosh Kumar  
S/o Shri Chander  
R/o 194, Sec-3, Pushp Vihar  
New Delhi.
6. Shri Rameshwar  
S/o Shri Rattan Lal  
R/o 13/166, Arjun Vihar  
Delhi Cantt - 10.

...Petitioners

(By Advocate Shri S.S.Tiwari)

V E R S U S

1. Dr. B.K.Mittal  
Chairman  
Central Water Commission  
Sewa Bhawan, R.K.Puram.
2. Dr. S.R.Kamde  
Director  
PCP, Directorate  
Central Water Commission, R.K.Puram  
New Delhi.

...Respondents

(By Advocate Shri R.P.Aggarwal)

O R D E R (ORAL)

By Hon'ble Smt. Lakshmi Swaminathan, VC (J)

We have heard both the learned counsel for the  
parties.

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2. In this Contempt Petition, the learned counsel for the petitioners has alleged that the respondents have contumaciously and deliberately not implemented the Tribunal's order dated 8-12-2000 in OA 1554/2000 granting ~~the~~ temporary status to the petitioners, having regard to the judgement of the Tribunal in Brahma Singh Vs. Chairman, Central Water Commission (OA 1623/2000) dated 9-11-2000. Both the learned counsel submit that in the case of Brahma Singh, the applicant was granted temporary status w.e.f. 14-9-2001. The main contention of Shri S.S.Tiwari, learned counsel for the petitioners is that the respondents have unduly delayed in passing the order dated 31-10-2001, giving the petitioners temporary status with immediate effect, which is much later than the date applicable to the applicant Brahma Singh.

3. Admittedly, the respondents had filed CWP 3266/2001 and the contempt proceedings before the Tribunal were stayed by the Hon'ble High Court by its order dated 3-8-2001 (copy placed on record). In this order, it is noted that the High Court has held "Petitioners i.e. Union of India shall meanwhile have two months time from receipt of a copy of this order either to take any appropriate legal remedy or to implement the Tribunal's order in question". According to the learned counsel for the petitioners, the respondents were initially granted three months to implement the Tribunal's order 8-12-2000. Thereafter, another two months were granted by the Hon'ble High Court and after the expiry of five months totally, the

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respondents have passed the office order dated 31-10-2001 granting temporary status to the petitioners only from that date. He has also contended that the petitioners in OA 1554/2000 are similarly situated as the applicant Brahma Singh in OA 1623/2000, on the basis of which the aforesaid order dated 8-12-2000 has been passed by the Tribunal.

4. Noting the above submissions, we are unable to agree with the contentions of the learned counsel for the petitioners that there has been deliberate and contumacious disobedience of the Tribunal's order dated 8-12-2000 read with the order of the Hon'ble High Court dated 3-8-2001.

5. We, therefore, direct the respondents to grant temporary status to the petitioners from the same date that was given to Shri Brahma Singh in OA 1623/2000 i.e. 14-9-2001. This shall be done within one week from today, ~~with the above directions~~<sup>with the above directions</sup>, with copy to the petitioners. Accordingly CP 270/2001 is disposed of. Notices to the alleged contemnors are discharged.

6. Let a copy of this order be issued DASTI to both the learned counsel for the parties.

(Govindan S. Tampi)  
Member (A)

/vikas/

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