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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 273/2001 in
OA 1535/2000

New Delhi this the 17th day of September, 2001

Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)
Hon'ble Shri S.A.T. Rizvi, Member (A)

Sh. Yog Raj and 18 others
S/O Shri Om Prakash
r/O H.No. 15, Sector-8,
R.K. Puram, New Delhi.

..Petitioners

(By Advocate Shri S.S. Tiwari)

VERSUS

1. Dr. B.K. Mittal,
Chairman,
Central Water Commission
Sewa Bhawan, R.K. Puram,
New Delhi.

2. Dr. S.R. Kamde,
Director,
PCP, Directorate,
Central Water Commission, R.K. Puram,
New Delhi.

..Respondents

(By Advocate Shri N.S. Mehta, learned
senior counsel with Shri Sh. Deepak Sachdev
learned proxy counsel for Sh. Rajinder
Nischal)

O R D E R (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Vice Chairman(J)

Learned counsel for the respondents has submitted a copy of the Office Order dated 14.9.2001 and the same has also been handed over to the learned counsel for the petitioners. Shri S.S. Tiwari, learned counsel has submitted that the aforesaid order is not in compliance of the Tribunal's order as they ought to have given 'temporary status' as given to the casual labourers/applicants in OA 1535/2000 from the date of the order i.e. 9.11.2000. On the other hand, Shri N.S. Mehta, learned senior counsel has submitted that as per the directions of the Tribunal in Paragraph 9, the

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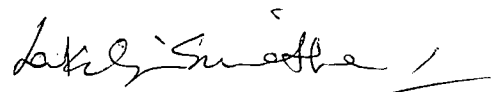
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respondents have duly considered the claim of the applicants and thereafter, granted temporary status to the casual labourers, in accordance with the provisions of the DOP&T O.M. dated 10.9.1993. He has also submitted that the question of legal effect of the DOP&T O.M. is the subject matter before the Hon'ble Supreme Court in SLP.

2. We have considered the submissions made by the learned counsel on CP 273/2001. In terms of Para 9 of the Tribunal's order dated 9.11.2000, the respondents were directed to consider grant of 'temporary status' to the left out applicants in terms of the DOP&T O.M. dated 10.9.1993. In the circumstances, the contention of the learned counsel for the petitioners that 'temporary status' ought to have ^{been} ₂ given from the date of the order dated 9.11.2000, cannot be accepted. In the facts and circumstances of the case, noting the above submissions of the learned senior counsel for the respondents and the office order dated 14.9.2001, we do not consider that there is any wilful or contumacious disobedience of the Tribunal's order to justify further action against the respondents under the Contempt of Courts Act, 1971/^{read} with the provisions of Section 17 of the Administrative Tribunals Act, 1985. Accordingly CP 273/2001 is dismissed. Notices to the alleged contemnors are discharged. File be consigned to the record room.



(S.A.T. Rizvi)
Member (A)



(Smt. Lakshmi Swaminathan)
Vice Chairman(J)

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