

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

CP 274/2002
in
OA 2333/2000

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New Delhi, this the 16th day of July, 2002

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

Sh. Rajinder Pal Chawla
S/o Lt. Sh. Sohan Lal Chawla
R/o F-73, Naroji Nagar
New Delhi.

...Applicant

(By Advocate Sh. M.L.Chawla)

V E R S U S

Dr. Jagdish Prasad
Principal & Medical Supdt.
Safdarjang Hospital
New Delhi - 110 029.

...Respondents

O R D E R (ORAL)

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

We have heard Sh. M.L.Chawla, ld. counsel for the petitioner on CP 274/2002. His contention is that the respondents have not fully complied with the Tribunal's order dated 25-4-2001 in OA 2333/2000. He has, however, submitted that the respondents have issued memorandum dated 30-8-2001 calling upon the petitioner to file a reply, which he has also done on 5-9-2001. His complaint is that thereafter, the respondents have failed to take appropriate decision under the provisions of law - FR 54-B till date. Hence this CP.


2. Taking into account the aforesaid facts and circumstances of the case, we are unable to come to the conclusion that the respondents have wilfully or contumaciously disobeyed the Tribunal's order dated 25-4-2001. Although, it also appears to be a fact that a final decision in the matter consequent upon


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issuing the memorandum and receiving the reply from the petitioner is yet to be taken by them. The reply has been filed by the petitioner on 5-9-2001 and they have had sufficient time to take a decision in the matter which we are informed has not been done so far. Ld. counsel has submitted that two reminders in this regard had also been sent to the concerned authority.

3. In the above facts and circumstances, CP 274/2002 is disposed of with the following directions :-

The respondents to take a decision on the reply given by the petitioner to the show cause notice issued by them by memorandum dated 30-8-2001, if the same has ~~also~~ ^{been} not done till date, as early as possible and in any case within two months from the date of receipt of a copy of this order with intimation to the applicant.


(S.A.T. RIZVI)
MEMBER (A)


(SMT. LAKSHMI SWAMINATHAN)
VICE-CHAIRMAN (J)

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