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Central Administrative Tribunal, Principal Bench
New Delhi

C.P. No.37 of 2002

IN

O.A. No.2337 of 2000

New Delhi this the 5th day of August, 2002

Hon'ble Mr. Kuldip Singh, Member (J)
Hon'ble Mr. M. P. Singh, Member (A)

Constable (Dvr.) Dharambir Dutt
No.4965/PCR,
S/o Shri Lakhi Ram,
R/o Village & P.O. Katevra,
P.S. Narela, Delhi.

- Applicant
(by Advocate : Shri Mohit Madan, learned proxy
for Mrs. Avnish Ahlawat)

Versus

1. Shri Ajay Ray Sharma, IPS
Commissioner of Police, Delhi
Police Headquarters, I.P. Estate,
New Delhi.

2. Dr. M. Ponraian IPS,
Deputy Commissioner of Police,
Police Headquarters, Police Control Room,
I.P. Estate, New Delhi.

- Respondents
(By Advocate : Shri Ajesh Luthra)

O.R.D.E.R. (ORAL)

Hon'ble Mr. Kuldip Singh, Member (J)

Heard Shri Mohit Madan, learned proxy counsel
for the applicant and Shri Ajesh Luthra, learned
counsel for the respondents.

2. The applicant's OA was allowed vide order
dated 25.7.2001 whereby the order of dismissal,
appellate order as well as the findings of the Inquiry
Officer were quashed and set aside and the respondents
were directed to re-instate the applicant in service
with all consequential benefits within a period of
three months from the date of receipt of a copy of
the order.

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3. In compliance of the aforesaid orders, the respondents have passed an order dated 15.10.2001 (Annexure P-2 to the CP) whereby the respondents have reinstated the applicant in service. However, the period from the date of issuance of the order to the date of joining his duty will be counted as L.K.D. provided that he shall join his duty within two days from the date of the order.

4. The applicant has come up with the present contempt application and stated that the consequential benefits as granted by this Tribunal is that the applicant is entitled for the salary for the intervening period till the date of his joining.

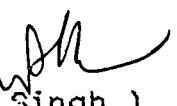
5. With regard to aforesaid contention of the applicant, learned counsel for the respondents relied upon the orders passed by the Tribunal on 20.4.2001 in CP No.189/2001 in OA No.1279/1998 (Annexure R-I) wherein the Tribunal had observed the similar orders passed in the similar circumstance and came to the conclusion that this adequately met the directions given by the Tribunal's order. The aforesaid CP was rejected with a liberty to the applicant to pursue such other remedies, as advised, in accordance with law.

6. In this case also, we find that since the applicant has been reinstated in service with all consequential benefits except back wages. We do not find that the respondents have committed any wilful



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and contumacious disobedience of the aforesaid orders of the Tribunal. So the present CP is rejected and the notices issued to the alleged respondents are discharged. The applicant is granted liberty to pursue such other remedies, as advised, in accordance with law in an appropriate proceedings.


(M.P. Singh)
Member(A)


(Kuldip Singh)
Member(J)

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