

Central Administrative Tribunal, Principal Bench

CP No. 72/2000 in
OA No. 21/2000

New Delhi this the 19th day of April, 2000.

Hon'ble Mr. Justice V. Rajagopala Reddy, Vice-Chairman
Hon'ble Mrs. Shanta Shastry, Member (Admnv)

Sushil Mohan and Another ...Petitioners
(By Advocate Shri B.N. Bhargava)

-Versus-

Sh. P. Vijayaraghavan,
Wing Commander,
Commanding Officer,
RCT Depot,
Ministry of Defence,
Air Force Station, Palam,
New Delhi-110 010.

...Respondent

(By Advocate Shri R.V. Sinha)

O R D E R (ORAL)

By Reddy, J.:-

This Contempt Petition is filed against the order dated 7.1.2000 in the above OA, directing the respondents to maintain status quo as on the said date. The petitioners are casual labours and it is now stated by them that when they met the respondent on 10.2.2000 at 1.30 p.m. to hand over the Dasti notice, he not only refused to accept but misbehaved ~~also~~ with the petitioners by saying how you dare to approach the court. Get away from here and do not come on duty from tomorrow. They thereafter sent the notice by post on 14.1.2000 but thereafter they were not engaged. Meanwhile the respondent engaged two freshers by calling candidates from the Employment Exchange. However, the respondent who is the Commanding Officer, RCT Depot, Ministry of Defence, Air Force Station Palam, denied the allegations made by the petitioners in the petition. It is stated that the order of the Court was not brought to his notice till 20.1.2000 when he received the same by post, i.e., after the services of the applicants were disengaged w.e.f. 11.1.2000. It is also stated that no workman was working at present against the job for which the applicants were engaged.

(Signature)

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2. The learned counsel for the petitioners submits that the respondent has not brought the correct facts to the notice of the Court and that he flatly refused to take notice and hence he is liable for contempt. In view of the flat denial by the respondent, it is difficult for us, without any other material on record to come to the conclusion that the service of the notice has been denied by respondent. The minutes of the meeting held on 10.1.2000 at 2.30 p.m. were also shown to us in support of the fact that respondent was in the meeting. The respondent also brings to our notice visitors book where the name of the applicant did not figure. In the circumstances, in the absence of any proof with regard to the allegations made by the petitioners, ~~The CP is liable to be rejected~~, The CP is dismissed. Notice is discharged. No costs.

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(Smt. Shanta Shastry)
Member (Admnv)

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(V. Rajagopala Reddy)
Vice-Chairman (J)