

(6)
50

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P. No. 312 of 1994 In
O.A. No. 1174 of 1986

New Delhi this the 9th day of February, 1995

Mr. Justice S.K. Dhaon, Vice-Chairman
Mr. B.K. Singh, Member (A)

Shri Brahm Singh
R/o Flat No. DG-II/281B,
Vikas Puri,
New Delhi-110018.

...Applicant

By Advocate Shri Sant Lal

Versus

1. Shri R.K. Takkar,
Secretary,
Min. of Communication,
Department of Telecommunication,
Sanchar Bhawan,
New Delhi.
2. Shri N.R. Mokhariwale,
Deputy Director (Vigilance),
O/O the Director General,
Department of Telecommunication,
Sanchar Bhavan,
New Delhi.

...Respondents

By Advocate Shri M.M. Sudan

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Vice-Chairman

This Contempt Petition has been posted before us under the orders of a Bench presided over by the Hon'ble Chairman. The learned Members felt that since the judgment given by another Division Bench of which one of us (Mr. Justice S.K. Dhaon, Vice-Chairman) was a member, required interpretation, the Contempt Petition should be listed before the appropriate Bench.

2. The Bench directed the reinstatement of the applicant in service. In such an order, it was

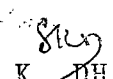
Sd/-

✓ 2) implicit that all legal consequences will flow from reinstatement, including consequential benefits should be given to the applicant. The only exception made was that back wages should not be paid to the applicant. The department has taken the stand that by our order, the only benefit which was conferred upon the applicant ✓ as a result of the reinstatement was that his seniority should be refixed. Therefore, they withheld the other benefits which accrued to the applicant on account of his reinstatement in service.

3. In our opinion, the order is being misconstrued and misapplied. We, therefore, clarify that all benefits barring back wages which are applicable to the applicant on account of his being reinstated in service, shall be given to him (the applicant). This shall be done within a period of one month from the date of production of a certified copy of this order by the applicant before the appropriate authority.

4. With these directions, the Contempt Petition is disposed of. Notices issued to the respondents are discharged. There shall be no order as to costs.


(B.K. SINGH)
MEMBER (A)


(S.K. DHAON)
VICE CHAIRMAN

RKS