

(18)

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

CCP 426/93 in
MP 2080/88
CCP 90/88
OA 155/86

New Delhi this the 22nd December, 1993.

Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)
Hon'ble Mr. B.N. Dhoundiyal, Member(A)

Sh. Piare Lal Tiwari,
S/o Pt. Hira Lal Tiwari,
R/o Quarter No.222, R.K. Puram,
Sector-VI, New Delhi-22. Petitioner

(By advocate Ms. Jasvinder Kaur)

versus

1. Union of India through
the Ministry of Communications,
Sanchar Bhawan,
New Delhi.
2. The Director General,
Post & Telegraphs,
Dak Tar Bhawan,
Parliament Street,
New Delhi-110 001.
3. The Director of Postal Services,
Delhi Circle,
Mohan Singh Place,
Baba Kharag Singh Marg,
New Delhi-110 001.
4. Sh. S.P. Munjal,
C/o Senior Superintendent,
Delhi Stg. Division,
R.M.S. Bhawan, Kashmiri Gate,
Delhi.
5. Sh. K.L. Baboota,
C/o Senior Superintendent,
R.M.S. New Delhi Stg. Division,
New Delhi-110 001.
6. Sh. Radhey Shyam Sharma
C/o Senior Superintendent,
R.M.S. New Delhi Stg. Division,
New Delhi.
7. Sh. Ramesh Chandra Khurana,
C/o Senior Superintendent,
Delhi Air Division,
Chanakyapuri,
New Delhi-110 021.

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ORDER(ORAL)
(delivered by Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman(J)

In O.A.No.155/86 decided on 7.9.1987 certain direction were given by this Tribunal. Thereafter the petitioner filed M.P.No.2080/88 which was disposed of on 15.1.1989. The Tribunal recorded a finding that the respondents had not wilfully disobeyed the direction given on 7.9.1987. However, "in the interest of justice" in clarification of the judgement dated 7.9.1987 a direction was given that the petitioner should also be considered to have been promoted to L.S.G. with effect from 1.10.1968 on the basis of the recommendations of the D.P.C. which met in 1984 without subjecting him to another further D.P.C., with all such consequential benefits of pay and allowances, seniority etc. Feeling dissatisfied, the petitioner had filed two M.Ps. One of them is that contempt proceedings should be initiated against the respondents. By a common order, both the M.Ps. No.1752/89 and 1763/89 were disposed of on 19.9.1989. In paragraph-5 of its order the Tribunal recorded the finding that the respondents had substantially complied with the judgement. It was made clear that if the petitioner still felt aggrieved, he will be at liberty to file a fresh application in the Tribunal in accordance with law.

This is yet another contempt application with the grievance that the directions given by the Tribunal on 7.9.1987 have not been complied with. The finding recorded on 5.1.1989 by the Tribunal that the respondents had substantially complied with the directions given operates as res judicata. This application is not maintainable.

C.P.No.426/93 is dismissed summarily.

B.N. Dholiayal
(B.N. Dholiayal)
Member(A)

S.K.D
(S.K. Dhaon)
Vice-Chairman