

CENTRAL ADMINISTRATIVE TRIBUNAL, PRINCIPAL BENCH

C.P. No. 262 of 1994 In
O.A. 768 of 1987

New Delhi this the 25th day of August, 1994

Mr. Justice S.K. Dhaon, Acting Chairman
Mr. B.N. Dhoundiyal, Member

Mrs. Prem Vaid
R/o B-1/7 Brij Vihar,
Pitam Pura,
Delhi-110034.

...Petitioner

By Advocate Shri B.B. Raval

Versus

1. Shri Chandra Dhar Tripathi,
Secretary,
Department of Official Language,
Min. of Home Affairs,
North Block,
New Delhi-110001.

2. Shri K. Srinivasan,
Secretary,
Ministry of External Affairs,
Government of India,
South Block,
New Delhi-110001.

...Respondents

ORDER (ORAL)

Mr. Justice S.K. Dhaon, Acting Chairman

In O.A. No.768 of 1987 the applicant came with the principal prayer that the respondents should be directed to regularise her services in the post of Senior Hindi Translator from 3.3.1979 when she completed her probation. The Tribunal disposed of the O.A. with the following directions:-

" In view of this, we direct the respondents to treat the appointment of the applicant as regular from the date she completed probation, i.e., 3.3.1979 and give her all consequential benefits."

2. The complaint in this application (CP) is that the directions given by this Tribunal are not being obeyed.

3. We have before us an Office Memorandum dated 2/3-5-1994 of the Under Secretary of the Government

of India, Ministry of Home Affairs, Department of Official Languages. According to this Memorandum, the Selection Committee, while fixing the seniority of the applicant, treated her as regularly appointed with effect from 3.3. 1979. It appears that the applicant claims seniority from 4.3.1977. In the Memorandum it is pointed out that

this is not possible. It is also stated that since the Hindi posts of the Ministry of External Affairs were included in the Central Secretariat Official Language Service from 1.3.1986, there was no justification for granting seniority to any person appointed to the said post prior to 1.3.1986.

4. We are not entering into the merits of the case set up by the applicant so far her claim of seniority is concerned. If she is so advised, she may rake up the issue by drawing appropriate proceedings before the appropriate forum. We are satisfied that by not giving seniority to the applicant from 4.3.1977, the respondents have not disobeyed the directions of this Tribunal. In any case, it cannot be said that they are wilfully disobeying the directions of this Tribunal. This contempt petition, therefore, cannot proceed. It is accordingly dismissed.

(B.N. DHOUNDIYAL)
MEMBER (A)

(S.K. DHAON)
ACTING CHAIRMAN

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