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In the Central Administrative Tribunal
Principal Bench, New Delhi

Regn. No. CCP-84/89 In
DA-148/87

Date: 25.5.1990.

Shri R.K. Yadav

.... Petitioner

Versus

Union of India &
Another

.... Respondents

For the Petitioner

.... Shri V.P. Sharma, Advocate

For the Respondents

.... Shri Jagjit Singh, Advocate

CORAM: Hon'ble Shri P.K. Kartha, Vice-Chairman (Judl.)
Hon'ble Shri D.K. Chakravorty, Administrative Member.

1. Whether Reporters of local papers may be allowed to see the judgement? *Yes*
2. To be referred to the Reporter or not? *No*

(Judgement of the Bench delivered by Hon'ble
Shri P.K. Kartha, Vice-Chairman)

In this C.C.P., the petitioner has alleged that the respondents have not complied with the judgement of this Tribunal dated 19.10.1987 and, therefore, Contempt of Court Proceedings should be initiated against them.

2. We have heard the learned counsel for both the parties and have gone through the records of the case carefully. In our opinion, no prima facie case has been made out for initiating contempt proceedings against the respondents for the reasons given below.

3. By the judgement dated 19.10.1987, this Tribunal had directed the respondents to dispose of the appeal filed by the petitioner by passing a speaking order in the light of the findings and observations made in the judgement. The Tribunal had also fixed a time-limit of three months for the purpose.

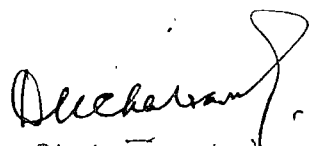
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4. Thereafter, the petitioner had been reinstated in service vide order passed by the respondents on 11.4.1988. The grievance of the petitioner is that the respondents have not given to him back wages from 26.4.1983 to 10.4.1988 along with increments, bonus, house rent allowance, and children education allowance. They have also not considered him for promotion which became due during this period.

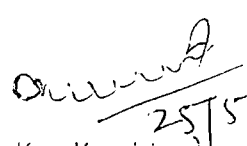
5. The respondents have stated in their reply that the Tribunal's judgement does not contain any direction as regards the payment of back wages or grant of other consequential benefits as sought by the petitioner in the C.C.P. We are inclined to agree with this contention. The Tribunal has not passed any direction in this regard.

6. In view of the foregoing, we see no merit in the present C.C.P. In case the applicant feels that he is entitled to claim back wages during the relevant period and other consequential benefits, he may file a fresh application in the Tribunal in accordance with law, if so advised. The C.C.P. is dismissed and the notice of contempt discharged, with the aforesaid observations.

The parties will bear their own costs.


(D.K. Chakravorty)
Administrative Member

25/5/90


(P.K. Kartha)
Vice-Chairman (Judl.)