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CENTRAL ADMINISTRATIVE TRIBUNAL: PRINCIPAL BENCH.

CP No.93/94.

in

CCP No.78/90

in

DA No.715/88

New Delhi this the 7th day of June, 1994.

Shri Justice V.S. Malimath, Chairman.

Shri P.T. Thiruvengadam, Member (A).

1. Dharampal,
R/o 810-Sewa Bhawan,
R.K. Puram,
New Delhi.

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Petitioner..

Petitioner present in person.

Versus.

1. Shri M.S. Reddy,
Secretary, M/o Water
Resources & Chairman, Central
Water Commission Sew Bhawan,
R.K. Puram,
New Delhi-66.
2. Shri G.C. Hira,
Deputy Controller of Accounts
P.A.O, Central Water Commission
625-Sewa Bhawan, R.K. Puram
New Delhi-66.
3. Shri Gopal Krishan,
Superintending Engineer
North Eastern Inv. Circle,
Central Water Commission
'Jamir Mansion' Nonshillingang
Shillong-14.

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Respondents.

By Advocate Shri K.L. Bhandula.

ORDER (ORAL)

Shri Justice V.S. Malimath.

On the complaint that the directions in the judgement in DA No.715/88 rendered on 5.5.93 have been violated, the petitioner filed CCP No.78/90. That was disposed of by us on 5.5.93 in which we issued two directions. On the ground

that the respondents are still perpetrating the violation of the orders of the Tribunal, the present CCP has been filed. The respondents have filed a reply saying that they have fully complied with the directions issued by the Tribunal in CCP No.78/90 in OA No.715/88.

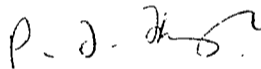
2. We shall now examine whether the directions issued by us on 5.5.93 have been complied with or not. The first direction given by us is that the respondents shall pass a formal order declaring the period from 1.7.1987 to 25.12.1988 as on duty. The respondents have produced a copy of the order, Annexure-I, dated 1.9.93 wherein it is specifically stated that the said period is treated as on duty. The petitioner says that the period should be treated as on duty holding a particular post. There is no such direction given by the Tribunal. All that was said was that the said period should be treated as on duty and in faithful compliance of the judgement of the Tribunal, the respondents have passed an order treating the said period as on duty.

3. The only other direction given by us is that the petitioner should make a representation in regard to the deductions made out of the emoluments payable to him for the period from 1.7.1987 to 25.12.1988 within a period of one month. Once such a representation is made, we had directed the respondents to consider and pass a proper order within a period of three months. The respondents have stated that the petitioner did make a representation on consideration of which the respondents have passed an order on 4.10.93, copy of which is produced as Annexure-II, disposing of his

representation. Thus, both the directions issued by us in the earlier CCP have been duly complied with.

4. In the third direction, we had stated that if the petitioner is not satisfied with the orders passed by the Tribunal, it is open to him to challenge the same in the original proceedings. We are informed that the petitioner has already filed the DA. So far as the contempt petition is concerned, there is nothing more that needs examination. If the petitioner has any grievance, it is open to him to agitate the same in the original proceedings and canvass his rights which he claims. Without prejudice to his rights, having regard to the faithful compliance with the directions of the Tribunal by the respondents, this CCP is dismissed.

No costs.



(P.T. THIRUVENGADAM)
MEMBER (A)



(V.S. MALIMATH)
CHAIRMAN

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