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IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH, NEW DELHI.

CCP No.238/93 in

Date of order:28.09.1993.

O.A.No.1071/88

Sh. Balbir Singh

....

Applicant

versus

Union of India & Others

....

Respondents

Coram:-

The Hon'ble Mr. Justice S.K. Dhaon, Vice-Chairman

The Hon'ble Mr. B.N. Dhoundiyal, Member(A)

For the applicant : Sh. V.P. Kohli, counsel

For the respondents : Sh. R.L. Dhawan, counsel

ORDER(ORAL)

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

Counter-affidavit has been filed on behalf of the respondents stating therein that the respondents have complied with the direction given by this Tribunal in its judgement dated 20.11.1992. To support the averments, a true copy of the letter of the FA&CAO/Admn. has been filed alongwith the affidavit.

The learned counsel for the petitioner contends that the condition imposed in the order dated 23.9.93 that the same would be subject to the decision of the Supreme Court in Sharan's case will cause

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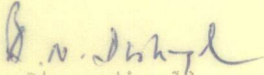


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
serious prejudice to the petitioner. It is pointed out that the petitioner was not a party in O.A.No.364/86 giving rise to Sharan's case. We find force in this objection. Sh. Dhawan states that the department is contemplating to file a SLP against the judgement passed by this Tribunal. We make it clear that, if such an appeal is filed the order dated 23.9.93 shall be subject to the decision of the Supreme Court.

The respondents shall now make necessary payments to the petitioner in pursuance of the order dated 23.9.1993 within a period of two months from the date of production of a certified copy of this order by the petitioner to the relevant authority.

With these observations, this contempt petition is disposed of finally. No costs.

  
(B.N. Dhoundiyal)

Member(A)

  
(S.K. Dhaon)

Vice-Chairman

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