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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH  
NEW DELHI

(15)

G.G.P: NO. 22/91 in  
O.A. NO. 1815/89

DECIDED ON : 30.03.1992

G. N. Tiwari,

... Petitioner

Vs.

Union of India & Ors.

... Respondents

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THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN  
THE HON'BLE MR. P. C. JAIN, MEMBER (A)

For the Petitioner - Shri G. D. Bhandari, Counsel

For the Respondents - Shri B. K. Aggarwal, Counsel

ORDER (ORAL)

Hon'ble Mr. Justice V. S. Malimath, Chairman :-

We are not satisfied that any action under the Contempt of Courts Act is called for having regard to the language of the interim order which states that if the period has not been extended to three years, the respondents shall restore the applicant to his original pre-punishment grade of Rs.1400-2300 as Assistant Station Master. The stand of the respondents is that the appellate order provides for automatic extension of the period to full three years in the event of the petitioner committing indiscipline during the period of two years. Records were placed before us for our perusal. Order dated 21.3.1990 is to the effect that Shri Tiwari (petitioner) committed the same <sup>in</sup> disciplinary acts by remaining unauthorisedly absent for 45 days in 1988 and 49 days in 1989 during the two years' probationary period. It further states that he has not learnt any lesson from the punishment and has not improved his conduct. It is stated that the punishment be, therefore, restored to three years as originally imposed. In view of this order, we are

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satisfied that the conduct of the respondents cannot be regarded as one in violation of the interim order made by the Tribunal. Hence, we drop these proceedings without prejudice to the rights of the parties agitating their rights in regard to the correctness or otherwise of the action taken, in the original application, which is pending.

Rule discharged.

as  
*Ceci*  
( P. C. Jain )  
Member (A)

*V. S. Malimath*  
( V. S. Malimath )  
Chairman