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CENTRAL ADMINISTRATIVE TRIBUNAL  
PRINCIPAL BENCH

NEW DELHI THIS THE 29TH DAY OF MAY, 1995.

MR.JUSTICE S.C.MATHUR, CHAIRMAN  
MR.P.T.THIRUVENGADAM, MEMBER(A)

1. CP No.122/95 in OA No.1939/89

1. Shri J.R.Peters  
S/o Sh.J.F.Peters  
209A,LIG DDA Flats  
Motia Khan, New Delhi-55
2. Shri Kailash Chandra  
S/o Sh.P.P.Goswami,  
H-79, Gali No.2  
Brahmpuri, Delhi-53.
3. Shri Ashok Kumar Dawra  
S/o Late Sh.Rijhoo Mal,  
Pocket-IV, 81E,  
Mayur Vihar Phase I,  
Delhi-91

... APPLICANTS

(BY ADVOCATE SHRI T.C.AGARWAL)

vs.

Sh.A.K.Venkatasubramanian,  
D.G.,  
D.G.S.&D, Sansad Marg,  
New Delhi-1

... RESPONDENT

2. CP No.123/95 in OA No.1940/89

1. Shri Vinod Kumar Saxena  
S/o Sh.Shiv Narain Saxena  
1755,Nai Basti, Gali Kua Vali  
Behind Novelty Cinema  
Delhi-6.
2. Smt.Updesh Saxena  
W/o Shri V.K.Saxena  
1755. Nai Basti, Gali Kua Vali,  
Behind Novelty Cinema  
Delhi-6.
3. Smt.Mary Chacko,  
W/o Sh.N.V.Chacko  
WZ-33, Asalat Pur  
Near C-1,Janak Puri,  
New Delhi-58.
4. Shri R.S.Vashist  
S/o Sh.S.C.Vashist,  
82/1, Sector-1,  
Pushp Vihar  
M.B.Road,  
New Delhi.

(BY ADVOCATE SHRI T.C.AGARWAL)

vs.

Sh.A.K.Venkatasubramanian, D.G.  
D.G.S.&D, Sansad Marg,  
New Delhi-1.

... RESPONDENT

ORDER(ORAL)

JUSTICE S.C.MATHUR:

Contempt Petition No.122/95 and Contempt Petition  
No.123/95 arise out of common judgement dated 25.5.1990

delivered in OA No.1939/89 and OA No.1940/89. They are, therefore, being disposed of by a common order.

2. The applicants allege disobedience of the aforesaid order dated 25.5.1990, the operative portion of which reads as follows:

".....the respondents shall fill up the posts of Computer and Economic Investigators on regular basis in accordance with the recruitment rules, whenever vacancies become available. Till then, the applicants shall be allowed to continue in the promotional posts on ad hoc basis. When the applicants are appointed on regular basis, they would be entitled to reckon their seniority from the date of their initial promotion as Computer/Economic Investigator, as the case may be."

(Emphasis supplied)

3. Common orders of promotion have been passed in respect of the applicants on 4.4.1995, copies of which have been annexed to the Contempt Petitions as Annexure P-2. The applicants are satisfied with this promotion. They are aggrieved by the second para in the promotion order in which it is mentioned as under:

"The above mentioned promotions and the issue of inter-se seniority are subject to the final outcome of the petitions filed by S/Shri J.K.Jain and others(OA No.1611/94 and MA No.2119/94) M.L.Chawla and Others( OA No.1674/94) Versus Union of India in the Central Administrative Tribunal, Principal Bench, New Delhi."

The applicants' plea is that in view of the Tribunal's order of which disobedience is alleged, the applicants' seniority has to be reckoned from the date of their initial appointment to the promoted post. On this basis, it is submitted that the condition imposed in para 2 of the promotion order is contrary to the directions contained in the Tribunal's order.

4. We are unable to accept the submission of the learned counsel. If subsequent to the orders passed in the applicants' cases an Original Application is filed in the Tribunal, the orders passed therein are also to

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be taken into consideration by the administrative authority. It cannot, therefore, be said that by imposing the condition in para 2 of the promotion order, the respondent has disobeyed the directions of the Tribunal. It also needs to be pointed out that as yet the respondent has not issued any seniority list. Therefore, also it cannot be said that the order passed by this Tribunal has been disobeyed.

5. In view of the above, the Contempt Petitions are rejected in limine.

P.T.25

(P.T. THIRUVENGADAM)  
MEMBER(A)

  
(S.C. MATHUR)  
CHAIRMAN

SNS