

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH : NEW DELHI

C.C.P. NO. 113/91 in
O.A. NO. 878/89

DECIDED ON : 19.02.1992

KRISHAN LAL

PETITIONER

VS.

S. S. VERMA & ANR.

RESPONDENTS

CORAM

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN

THE HON'BLE MR. P. C. JAIN, MEMBER (A)

Shri B. B. Raval, Counsel for the Petitioner

Shri Shyam Moorjani, Counsel for the Respondents

O R D E R (ORAL)

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

The complaint in this case is that the direction issued by the Tribunal in OA 878/89 dated 12.2.1990 has been violated. The direction required the respondents to finalise as early as possible but not later than four months the charge-sheets pending against the petitioner. The complaint is that the charge-sheets have not been disposed of. In the reply, it is stated that all the charge-sheets which were adverted to by the petitioner in his original application have been disposed of. Particulars of the same have also been furnished. In the rejoinder filed by the petitioner it is stated that the decisions have not been taken within the specified time and that the same have not been communicated. There is no good reason for us to reject the statement of the respondents that all the charge-sheets have been disposed of, particulars of which have also been given in the reply.

2. As far as the charge at Sl. No. 3 is concerned, the stand taken is that there is no such charge levelled against the petitioner. If that is so, the question of disposing the same of does not arise. However, they say that there is another charge-sheet though not referred to in the original application which relates to the unauthorised retention of the Railway Quarter by the petitioner. The respondents have stated that an inquiry is pending and the same will be finalised very shortly. They have also stated that an amount of Rs.800/- is being deducted from the petitioner in respect of the unauthorised occupation of the Railway Quarter. They have also relied upon a statement given by the petitioner agreeing to the deduction of Rs.800/- in this behalf. Though the learned counsel for the petitioner submits that the said statement could not have been given voluntarily by the petitioner, it is difficult to accept this contention. Besides, it was also complained by the learned counsel for the petitioner that deduction at the rate of Rs.800/- per month from his meagre salary will cause great hardship to the petitioner and that the said deduction also has the effect of violating the order of the Tribunal. We find that there is no direction in regard to this aspect of the matter in the judgment of the Tribunal. Hence, the question of correctness or otherwise of the deduction in respect of the alleged unauthorised occupation does not arise.

3. No examination in the present proceedings under the Contempt of Courts Act is possible. We leave the parties to work-out their rights in appropriate proceedings in this

behalf. As we find that there is compliance with the direction of the Tribunal, we do not consider it necessary to pursue with these proceedings and the same are accordingly dropped.

V. S. Malimath

(P. C. Jain)
(P. C. JAIN)
MEMBER (A)

(V. S. Malimath)
(V. S. MALIMATH)
CHAIRMAN

19.02.1992

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