

Central Administrative Tribunal
Principal Bench: New Delhi

CP No.102/96
OA No.1647/91

New Delhi this the 21st day of August 1996.

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)
Hon'ble Mr K.Muthukumar, Member (A)

Chander Bhan
S/o Shri Sardar Singh
Vill. & PO Mandona
Dist. Bulandshahr
U.P. 245 402

...Petitioner

(By Advocate: Dr.M.P.Raju)

Versus

Mr Nikhil Kumar
Commissioner of Police
Police Headquarters
I.P.Estate
New Delhi.

...Respondent.

(By Advocate: Mrs Avnish Ahlawat alongwith Sh. Anoop Bagai)

O R D E R (Oral)

Hon'ble Mr A.V.Haridasan, Vice Chairman (J)

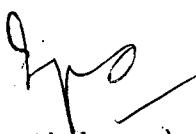
Mr.Y.S.Dandwal, Addl. Commissioner of Police is present in person.

Respondent's counsel brought to our notice an order dated 8.8.96 by which the applicants in OA 1647/91 have been reinstated in service with immediate effect, making it clear that this was subject to the result of the SLP filed against the order of the Tribunal and stipulating that as regards regularisation of the period of removal from service, appropriate orders would be passed after disposal of the SLP by the Hon'ble Supreme Court. We find that the direction contained in the order has since been substantially complied with.

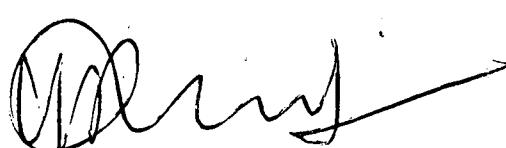
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However, there is an inordinate delay in complying with the direction. In the reply affidavit filed on behalf of the alleged alleged condemner, it has been stated that the delay was owing to the filing of the SLP and the bonafide belief that once the delay was condoned by the Hon'ble Supreme Court, the respondents could wait till disposal of the appeal by the Hon'ble Supreme Court. The Addl. Commissioner of Police who is present in the Court states the respondents did not have any intention to defy the orders of the Tribunal and had taken steps for filing of the SLP. He also states that the delay is regretted and that further action in the contempt petition may be dropped.

2. Though we are not satisfied that the respondent in this case has taken prompt action for implementation of the directions contained in the judgement, noting that the directions have now been complied with to a considerable extent, we do not deem it necessary to proceed further with the contempt petition. If any of the grievances of the petitioner still subsists, it will be open for him to agitate the same in proceedings instituted separately in that behalf. The contempt petition is, therefore, closed and the notice discharged.


(K. Muthukumar)

Member (A)


(A.V. Haridasan)

Vice Chairman (J)

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