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CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

C.C.P. NO. 396/93 in
O.A. NO. 39/91

DECIDED ON : 4.10.1993

Anil Kumar Bhutalia & Anr.

...

Petitioners

Vs.

Shri R. K. Bhargava & Ors.

...

Respondents

CORAM :

THE HON'BLE MR. JUSTICE V. S. MALIMATH, CHAIRMAN
THE HON'BLE MR. S. R. ADIGE, MEMBER (A)

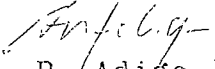
Shri O. P. Gupta, Counsel for the Petitioners

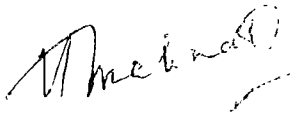
O R D E R (ORAL)

(By Hon'ble Mr. Justice V. S. Malimath)

The complaint in this case is that the respondents have committed contempt they having acted in violation of the direction issued in OA 39/91. It is asserted that the contempt by the respondents is established by the certificate produced at Annexure A-6 dated 20.10.1992 certifying that Shri Dinesh Kumar Sharma has been working continuously in the Central Production Centre as a casual Lighting Assistant since 1.3.1991 till date except for Sundays and gazetted holidays. The judgment of the Tribunal was rendered on 7.6.1991. It does not direct the termination of the Lighting Assistants who were already working on casual basis on the date of the judgment. The certificate produced only says that Shri Dinesh Kumar Sharma was engaged as a casual Lighting Assistant about three months prior to the date of the judgment of the Tribunal and has been continuing thereafter. As there is no fresh engagement at all after the judgment has been rendered by the Tribunal, the question of examining the complaint of contempt does not arise. A

similar complaint was made earlier in CCP 4/92 which was disposed of on 25.3.1992 accepting the statement of the respondents that they have not engaged any Lighting Assistant and that, therefore, the question of accommodating the petitioner as casual Lighting Assistant did not arise. The position has not improved thereafter. There is, therefore, no justification for the present contempt of court petition. We see no good ground to take action under the contempt of Courts Act. These proceedings are accordingly dropped.


(S. R. Adige)
Member (A)


(V. S. Malimath)
Chairman

as
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