

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH, NEW DELHI.

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CP-109/2000 in
OA-1545/92

New Delhi this the 30th day of November, 2000.

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)
Hon'ble Dr. A. Vedavalli, Member(J)

1. Sh. Mulyam Singh,
S/o late Sh. Maiku Lai,
R/o D-7/23, Dayalpur,
Delhi-94 and other 35
petitioners as per memo
of parties. Petitioners

(through Sh. E.X. Joesph, Sr. Counsel with Sh. S.S.
Sabharwal, Advocate)

Versus

1. Dr. S.N. Kaul,
Sr. Economic Adviser,
Incharge, Indian Economic Service
Cadre (Administration),
Dept. of Economic Affairs,
North Block,
New Delhi.
2. Sh. S.K. Tewari,
Dy. Economic Adviser (IES),
IES Division, Deptt. of Economic Affairs,
North Block,
New Delhi.
3. Sh. EAS Sarma,
Secretary to the Govt.,
Ministry of Finance,
Dept. of Economic Affairs,
North Block,
Central Secretariat,
New Delhi.
4. Sh. Prabhat Kumar,
Cabinet Secretary,
Cabinet Secretariat,
Rashtrapati Bhawan,
New Delhi. Respondents

(through Sh. R.V. Sinha, Advocate)

ORDER (ORAL)

Hon'ble Sh. S.R. Adige, Vice-Chairman(A)

(A9)

Heard both sides on CP-109/2000.

2. Petitioner has filed CP-109/2000 alleging that the Tribunal's order dated 24.09.99 has not been implemented.

3. Learned counsel for respondents has invited our attention to respondents order dated 24.01.2000 (Annexure-C) passed pursuant to the Tribunal's order dated 24.09.99.

4. Shri Joseph, Id. Sr. Counsel has contended that the aforesaid order dated 24.01.2000 contains several infirmities and has not considered the Tribunal's order as per R.B. Gupta's case, as well as the orders passed by the Government in regard to the Indian Statistical Service in true spirit.

5. Having regard to the Hon'ble Supreme Court ruling in J.S. Parihar Vs. Ganpat Duggar & Ors. (JT 1996(9) SC 611), we hold that this by itself, would not be sufficient to initiate contempt proceedings against respondents.

6. If petitioners are aggrieved by the order dated 24.01.2000, it is open to them to challenge the same separately through appropriate original proceedings in accordance with law, if so advised.

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7. Giving liberty to petitioners, as aforesaid, the contempt proceedings are dropped. Notices are discharged.

A. Vedavalli

(Dr. A. Vedavalli)
Member (J)

S. R. Adige
(S. R. Adige)
Vice-Chairman (A)

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