

CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH

C.P. NO. 220/1998
in
O.A. NO. 1988/1992

(5)

New Delhi this the 28th day of July, 1998

HON'BLE SHRI JUSTICE K. M. AGARWAL, CHAIRMAN

HON'BLE SHRI R. K. AHOOJA, MEMBER (A)

Jagdeep Singh S/O Ramkishan Narwal,
R/O Vill. & P.O. Rindhana,
Gohana, Sonapat,
Haryana-131304.

... Applicant

(In Person)

-Versus-

1. Smt. Kiran Aggarwal,
Secretary, Ministry of Urban
Affairs & Employment,
Room No. 122, C-Wing,
Nirman Bhawan,
New Delhi-110011.

2. Shri N. L. Singh,
Superintending Engineer,
Room No. 114, CPWD Training Institute,
Kamla Nehru Nagar,
Ghaziabad-201002 (UP).

... Respondents

O R D E R (ORAL)

Shri Justice K. M. Agarwal :-

Heard the applicant in person on the contempt
petition.

2. The direction of the Tribunal dated
12.8.1997 in OA No. 1988/92 was as follows :

"6. In the result, this application
is allowed. Respondent No.1 is directed to
consider the preference of the applicant at
the time of allotment of various services
as per the revised preference submitted by
him in March, 1990, copy of which is placed
on record, and to make necessary change in
allocation of the services cadre in

Jon

accordance with law and extant instructions. This shall be done within one month from the date of receipt of a copy of this order. In the circumstances of the case, we award cost of Rs.1000/0 in favour of the applicant against Respondent No.1."

16

3. The applicant does not dispute that compliance has been made but according to him while taking a decision after consideration pursuant to the said directions, the respondents sacrificed all law and rules which were applicable in accordance with law and extant instructions.

4. If what the applicant says is true, his remedy is by way of filing a fresh OA challenging the order made by the respondents after consideration of his revised preferences at the time of allotment of Service.

5. If so advised, the applicant may file an OA and if that is filed, it shall be decided on its own merits.

6. Subject to observations aforesaid and liberty to the applicant to agitate the matter by filing a fresh OA, this contempt petition is hereby summarily dismissed.

Jon

(K. M. Agarwal)
Chairman

R. K. Ahooja

(R. K. Ahooja)
Member (A)