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CENTRAL ADMINISTRATIVE TRIBUNAL, ADDITIONAL BENCH

ALLAHABAD

DATED: This the day of May, 1 997

Coram: Hon'ble Mr. S. Das Gupta AM
Hon'ble Mr. T. L. Verma JM

REVIEW APPLICATION NO. 2/97

IN

C.C.P. No. 71/96

IN

O. A. No. 1200/93

Smt. Sundari Devi - - - - - Applicant

C/A Sri S.S. Tripathi

versus

Mohd. Sohrab Khan and others ~~Mr. P. B. S. Gupta~~ Respondents

Order

By Hon'ble Mr. S. Das Gupta AM

This Review application has been filed seeking recall of the order dated 20.11.1996 passed by a bench of this Tribunal dismissing the contempt petition no. 71/96 with certain observations.

2. The contempt petition arose out of the order dated 31.8.1995 by which a bench of this Tribunal had allowed O.A. 1200/93 in which direction was given to the respondents to give minimum salary of Class IV employee from the time when full time ^{WORK} was taken ~~from~~ ^{from} her. The contempt application was filed alleging non-compliance of the order of the Tribunal. From the pleadings in the contempt application, it appeared that while the

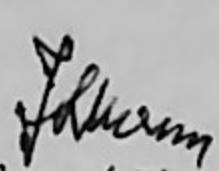
respondents stated that the applicant was initially engaged on full time basis w.e.f. 1.10.1989, the applicant claims that she was so engaged with effect from 1.4.1984. It also appears that the applicant had actually been paid wages as a full time worker since 1.10.1989. After noting from the order of the Tribunal giving rise to the contempt application that admittedly on the request of the applicant, respondents sanctioned full time work in their office since 1.10.1989, whereas the applicant had actually worked with effect from 1.4.1984 as a part time contingency paid Sweepers, the contempt application was dismissed as the bench was satisfied that the Tribunal's order had been substantially complied with. The bench, however, observed that the list annexed to the O.A. would tend to indicate that the applicant was among 64 persons, who were appointed on various dates as Sweeper and as it is the contention of the counsel for the applicant that all 64 persons including the applicant were on the same footing and remaining 63 were given minimum scale of pay right from the beginning, respondents would be expected to examine this matter and in case such contention is found to be correct, it would be only fair to redress the applicant's grievance.

3. In the Review application facts already covered in various orders have been traversed again. It has been contended that the respondents have failed to comply with the Tribunal's order by not paying regular salary to the applicant w.e.f. 1.1.1984.

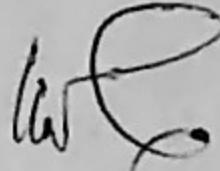
4. A contempt application has a limited purpose. It is only to punish the persons, who wilfully or deliberately violate the order of a court. From

the facts of the case, the bench deciding the contempt application could not come to a conclusion that there was such a wilfull or deliberate non-compliance of the Tribunal's order. There is no scope of readjudicating the entire matter within the narrow campus of a contempt application.

5. Inview of the foregoing, we find no reason to recall the order already passed. Review application is accordingly dismissed.



Member (J)



Member (A)

SQI