

CENTRAL ADMINISTRATIVE TRIBUNAL

ALLAHABAD BENCH

THIS THE 2ND DAY OF NOVEMBER, 2001

Contempt Application No. 201 of 2001

In

Original Application No. 779 of 1992

CORAM:

HON. MR. JUSTICE R.R.K. TRIVEDI, V.C.

HON. MR. C.S. CHADHA, MEMBER (A)

Bachchan Yadav, son of Sri Hingu

Yadav, Assistant Instructor Hand  
Block Painting & Training Centre,  
39 G.T.C. Cantt. Varanasi. Office  
of the Development Commissioner  
(Handicrafts) Ministry of Textile  
Govt. of India

...Applicant

Versus

Sukhendu Bhattacharya  
Regional Director (Centre Region  
Office of the Development Commissioner  
(Handicrafts) Govt. of India  
Ministry of Textile B-47  
Mahanagar Extension, Lucknow.

... Respondents

O R D E R (Oral)

JUSTICE R.R.K. TRIVEDI, V.C.


This application u/s 17 of A.T. Act 1985 has been filed for punishing respondents for not complying with the order of this Tribunal dated 6.11.2000 passed in OA 779/92. By the aforesaid order of this Tribunal the order of termination dated 20.5.1992 was quashed and the applicant was held entitled to be reinstated on the post as Assistant Instructor with all consequential benefits. The learned counsel has submitted that as an interim order was passed in favour of the applicant he continued on the post during the pendency of the case and was also being paid salary but during the pendency of this case the applicant was not granted any

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increment nor he was granted revised pay scale. The grievance is that though applicant on 28.11.2000 filed the copy of the judgement before the Competent Authority namely Regional Director but the consequential benefits for which applicant was entitled have not been given to him and thus respondent has committed contempt of this Tribunal.

We have perused the application of the applicant dated 28.11.2000. From perusal it appears that applicant has not requested for any specific relief relating to consequential benefits. He has only said that for necessary action <sup>to be taken, and</sup> the judgement is being placed. In our opinion, such a request was not sufficient. Applicant ought to have ~~been~~ calculated all the consequential benefits for which he was entitled and should have claimed the same before the respondents which in this case has not been done. It is difficult to say that any contempt has been committed in such facts and circumstances.

The application is accordingly dismissed. However, it will not ~~be~~ prejudice <sup>to</sup> the case of the applicant if he makes fresh application claiming consequential benefits for which he feels himself entitled on the basis of the order dated 6.11.2000. No order as to costs.

  
(C.S.CHADHA)  
MEMBER(A)

  
(R.R.K.TRIVEDI)  
VICE CHAIRMAN

Dated: 02.11.2001

Uv/