

**Central Administrative Tribunal
Jaipur Bench, Jaipur**

**MA No.358/2020
MA No.341/2018
MA No.409/2021
In
C.P.No.33/2014
In
TA No.4/2010**

Reserved on:31.08.2021
Pronounced on:03.09.2021

**Hon'ble Mr. Dinesh Sharma, Member (A)
Hon'ble Mrs. Hina P. Shah, Member (J)**

1. Girdhari Lal Chouhan S/o Shri Bhura Das, Aged about 62 years, R/o 153 B, Vijay Bari, Path No.7, Daher Ka Balaji, Jaipur-23, superannuated as Sr.TOA (P) at SDE Jhotwara, O/o PGMTD, Jaipur.
2. Kanhaiya Lal S/o Shri Ram Dev, Aged about 62 years, superannuated as Sr. TOA (P) at AOTR (C), O/o PGMTD, Jaipur.
3. Teema Ram S/o Shri Hindu Ram, Aged about 57 years, presently posted as Sr. TOA (P), O/o GMTD, Udaipur.
4. Sh. B.L.Raigar S/o Shri Udai Lal, Aged about 59 years, retired as Sr. TOA.
5. Ram Narayan Khatik (Deceased), erstwhile worked as Sr. TOA (P), O/o Deputy G.M. (T.P.), Jaipur through his legal heirs his wife Smt. Neelam, R/o 94, Shakti Nagar, Near Heerapura Power House, Ajmer Road, Gajsingh Pura, Jaipur.

....Applicants

(By Advocate:Ms.Kavita Bhati)

Versus

1. Secretary to the Government of India, Department of Telecommunications, Sanchar Bhawan, Sansad Marg, New Delhi.

(2)

2. Chairman-cum-Managing Director, Bharat Sanchar Nigam Limited, Delhi.

3. The Chief General Manager, Rajasthan Telecommunication Circle, Jaipur. ...Respondents

(By Advocate: Shri Anupam Agarwal for Shri Rajendra Vaish for R-1
Shri R.P.Singh for Shri Neeraj Batra for R-2 and 3)

ORDER

Per: Dinesh Sharma, Member (A):

Heard. It is not disputed that an SLP (No.29801/2018) is filed by the respondents in this matter against the order of the Hon'ble High Court which confirmed this Tribunal's decision, and it is pending before the Hon'ble Supreme Court of India. In this SLP, the Supreme Court has ordered, on 08.09.2020, that "the pending contempt proceedings shall not be precipitated during the pendency of this Special Leave Petition." The learned counsel for the applicants has no objection to stopping further action in this matter till the matter gets decided by the Hon'ble Supreme Court. However, she prays for liberty to revive the action for contempt depending on the outcome of this SLP.

2. We cannot proceed with action for executing our earlier orders (dated 12.02.2015), as prayed in MA No.358/2020 or for action for contempt for not following our

(3)

orders (in CP No.33/2014), when the matter is under challenge before the Supreme Court of India. The MA No.358/2020 and MA No.341/2018 for revival of Contempt Petition are therefore disposed of, at this stage, with liberty to revive, pursue further legal action based on the outcome of the SLP mentioned above. No costs.

3. MA No.409/2021 filed by the respondents for deletion of name of Respondent No.1 from the array of respondents is disposed of accordingly.

(Hina P. Shah)
Member (J)

(Dinesh Sharma)
Member (A)

/kdr/