

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL (ALLAHABAD BENCH)
ALLAHABAD.

G.A. NO. Contempt 235-9-90 OF 1991
T.A. NO.

Date of decision: 7-9-92

..... Dr. K. K. Bhushan Petitioner

..... Shri G. D. Mukherji Advocate for the Petitioner

Versus

..... Lt. General R. V. Kulkarni Respondent

..... Advocate for the Respondent

xxx: xxxxxxxxxxxx: xxx

CORAM:-

The Hon'ble Mr. Justice U.C. Srivastava, VC

The Hon'ble Mr. K. Chagga, Member (A)

1. Whether Reporters of local papers may be allowed to see the judgment? ✓
2. To be referred to the Reporter or not? ✓
3. Whether their Lordships wish to see the fair copy of the judgment? ✓
4. Whether to be circulated to all other Benches? ✓

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Signature

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CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH

Contempt Petition No. 235 of 1990
(In O.A. No. 232 of 1986)

K.K. Bhushan

.. Applicant

Versus

Lt. R.V. Kulkarni, Director General
Assam Rifles Shillong, Meghalaya .. Respondents

CORAM:

Hon'ble Mr. Justice U.C. Srivastava, V.C

Hon'ble Mr. K. Chayya, Member(A)

(By Hon. Mr. Justice U.C. Srivastava, V.C.)

The applicant who was posted as Medical Officer Public Health Centre, Palam New Delhi, filed a petition before this Tribunal under Section 19 of the Administrative Tribunal Act. The Tribunal vide its order dated 12.2.88 passed the following order:

" We are told that Service Book and L.P.C of Dr. K.K. Bhushan have been received by Assam Rifles, respondent No.3, so the respondent No.3 is directed to do the needful and send the relevant papers to C.M.O.(C.G.H.S.) Allahabad for necessary action. A copy of this order be sent to respondent no.3

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and also to Welfare Commissioner, respondent no. 2 Sri B.P. Bakshi, Asstt. Welfare, Administrator(Karma) Bihar was supplied the details about the claim of Dr. Bhushan and he was directed to examine the same and after adjustment pay the balance to the petitioner. The petitioner states that full payment has not been made. He should furnish the details regarding payment and send a copy to Shri Bakshi, who will examine the same and pass suitable order. A copy of this order be sent to Shri Bakshi and respondent no.2. Put up on 6.4.88. A copy of this order be given to the learned counsel for the applicant free of cost today. "

2. The applicant's grievance is that notwithstanding the service of this order the revised pay scale of the applicant has not been regularised and for recommendation of the IVth Pay Commission and that is why he has prayed that the Opposite party who was party to the original application may be punished for having committed contempt of this court.

3. The respondents have put in appearance and denied the allegations against him and stated that no contempt has been committed. ~~no case exists on record.~~ It has been stated

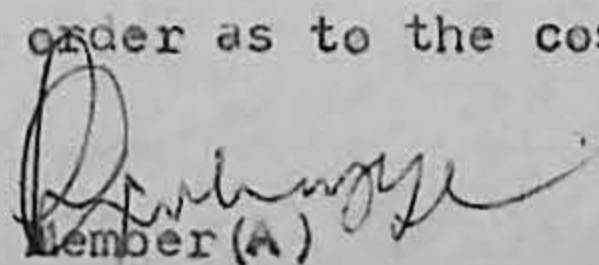
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that he has unnecessarily impleaded and in his affidavit he has stated that the custody of maintenance of Service Book and verification of the entries thereof with a responsibility is of the Head of the office and the deponent is being the Director General is not responsible for the lapses on the part of the office and also however as the head of the department has examined the documents which has been filed by the applicant alongwith his rejoinder affidavit issued necessary directions for making the entries and verification of the Service Book for the period the applicant served under them. It has been further stated that the head of the office is Commandant 5th Assam Rifles and the Commandant 18th Assam Rifles were responsible as per rules which are subjected to the examination of the audit authority. The said head of the department was not party but as the said head of the office is not party, the respondents may issue directions and they should see that the directions should be complied with.

4. Accordingly we dispose of this contempt application with a direction to the respondents that they should see that the order passed by this Tribunal are complied with and incase they have not done so, let the full compliance be done within a period of 3 months, as the non compliance will again lead to start another contempt proceedings. With these observations the contempt applications are discharged. No order as to the costs.


Member (A)



Vice Chairman

Dated: 7th Sept. 1992:

(Uv)