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CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH.

Contempt Application No.212 of 1994

In

Original Application No. 1535 of 1994

Hon'ble Mr. K. Muthukumar, Member(A)  
Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

Allaha-bad this the 21/5 day of Dec : 1994

Naseem Kha-n, R/o Village Jazela P.O. Jigna,  
Distt. Mirzapur. and 5 others.

Applicants

By Advocate Shri K.S. Saxena

Versus

1. Shri B.P. Sharma, Assistant Engineer (Const.)-II  
Northern Railway, Kanpur.
2. Shri R.S. Singh, Senior Civil Engineer (Const.)-II  
Northern Railway, Kanpur.

Contemnners/Opp. parties

O R D E R

By Hon'ble Mr. Jasbir S. Dhaliwal, Member(J)

Six petitioners have filed this  
contempt petition pleading that they ha-d filed an  
original application no.1535/94 before this Tribunal  
on which an interim order was passed on 07.10.1994  
to the following fact;

"In the meanwhile status-quo in  
the case may be maintained as on  
today."

They plea-d that the petitioner no.  
1 to 5 had communicated this order on 11.10.1994 and  
petitioner no.6 communicated it on 12.10.1994 to the  
respondents. They had all been unwell. The petition-  
er no.1 was declared medically fit on 23.9.1994

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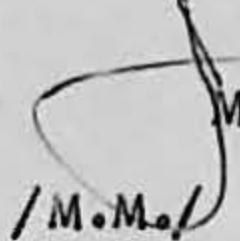
while petitioner no.6 was declared fit on 11.10.1994. after However, obtaining the stay order as mentioned in para no.9 of the petition, they had been regularly approaching the respondents to give them duty as per direction of the Tribunal for maintainance of status-quo. The respondents have terminated their services by serving upon them an order dated 23.9.1994 which was never communicated to the petitioners before 12.10.1994. They, thus, prayed for taking action against the respondents under Contempt of Courts Act.

2. We have seen the record. The order of this Tribunal dated 07,10.1994 was for maintainance of status-quo as on that date. The petitioner no. 1 was declared fit on 23.9.1994 by the Government Doctor after certifying that he had remained under treatment from 13.9.1994 to 22.9.1994. He was supposed to be on duty w.e.f. 23.9.1994. There is no explanation regarding petitioner no.2 to 5. In any case, the order of dismissal is dated 23.9.1994 it was passed much earlier to the interim order passed by this Tribunal. We, thus, do not find that the respondents flouted the direction of this Court. It is settled law that by ordering maintainance of status-quo, the Court cannot imply that the clock has been put back or that the orders passed earlier to the injunction order are to be taken to be not existing.

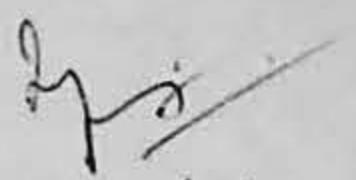
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3. This petition is,  
thus, dismissed in limine.

  
Member (J)

/M.M./

  
Member (A)