

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL  
ALLAHABAD BENCH, ALLAHABAD

C.C.A. No. 7 of 2000.

In re.

O.A. No. 148 of 1992.

this the 8th day of February' 2001.

HON'BLE MR S. DAYAL, MEMBER (A)  
HON'BLE MR RAFIQ-UDDIN, MEMBER (J)

Dhirendra Kumar Bhatnagar, 171/11 Shastri Nagar, Kanpur.

... Applicant

By Advocate : Sri S. K. Misra proxy counsel for Sri V.K. Goel

Versus.

Dr. G.N. Mathur, Director, Defence Material & Store Research  
Development Establishment, G.T. Road, Kanpur.

2. R.B. Srivastava, Joint Director (Administration), Defence  
Material & Store, Research Development Establishment, G.T. Road,  
Kanpur.

3. V.K. Atre, Director General, DRDO, Govt. of India,  
Ministry of Defence, B-Wing, Sena Bhawan, HQ Post, New Delhi.

... Respondents

By Advocate : Km. S. Srivastava.

ORDER (ORAL)

S. DAYAL, MEMBER (A)

This Contempt petition was filed for  
punishing the respondents for wilful disobedience of the  
order passed by this Tribunal in O.A. no. 148 of 1992 on  
2.6.1999.

2. By the said order, it was directed that  
the case of the departmental enquiry against the applicant  
was remitted with a liberty to the department to adduce  
further evidence, if necessary and thereafter the Enquiry  
officer will pass appropriate order on the enquiry and shall  
submit his report to the Disciplinary authority. This was

required to be made within a period of six months.

3. We have heard Sri S.K. Misra proxy counsel for Sri V.K. Goel and Km. S. Srivastava, learned counsel for the respondents.

4. The learned counsel for the respondents has filed an affidavit in which it is stated that the enquiry proceedings have been completed and penalty of withholding of promotion for three years w.e.f. the date of issue of the order under sub-rule (ii) of Rule 11 of CCS (CCA) Rules, 1965 has been imposed on the applicant, a copy of the order dated 1.2.2001 has been filed as Annexure CA-1. The respondents have also passed another order regarding revocation of suspension order with immediate effect. The period of deemed suspension from 6.4.1989 to 31.1.2001 is treated as period spent on duty and the applicant is to be paid full~~x~~ pay and allowances and the period of deemed suspension will also be counted for all pensionary benefits, leave and increments. The applicant has joined his duty on 2.2.2001. <sup>order of 1</sup> The revocation of suspension and treating the period of deemed suspension as ~~x~~ spent on duty with entitlement of pay & allowances is contained as Annexure CA-2 to the affidavit. The joining report of the applicant dated 2.2.2001 is also annexed as Annexure CA-3.

5. We find that the orders issued by this Tribunal have been fully complied with. There is some delay in complying with the same, but the same cannot be treated as wilful <sup>disobedience</sup> ~~defiance~~. Hence the Contempt petition is dropped and notices issued to the respondents are hereby discharged.

  
MEMBER (J)

ALLAHABAD: DATED: 8.2.2001.

GIRISH/-

  
MEMBER (A)