

CENTRAL ADMINISTRATIVE TRIBUNAL,
ALLAHABAD BENCH, ALLAHABAD
C.C.P. NO.90/2002 in O.A. No. 496/2002

this the 23rd day of May, 2002

HON'BLR MR. JUSTICE R.R.K. TRIVEDI, VC
HON'BLE MR. C.S. CHADDA, AM

H.S. Sisodia, s/o Sri Radha Charan Singh presently posted as Technical Officer, T.G. C.I.R.G., Makhdoom, Farah, Mathura.

...Applicant

By Advocate: Sri L.M. Singh

VERSUS

1. Dr. Nagendra Sharma, Director, C.I.R.G. Makhdoom Farah, Mathura.

2- I.S. Harit, Administrative Officer, C.I.R.G., Makhdoom, Farah, Mathura.

...Respondents

None present

ORDER (ORAL)

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

We have heard Sri L.M. Singh counsel for the applicant.

By this CCP under section 17 of the AT Act, 1985 applicant has prayed to punish the respondent No. 1 and 2 for non-compliance of the order of this Tribunal dated 1.5.2002 passed in O.A. No. 496/2002. The direction give by this Tribunal was to the following effect:-

"Considering the facts that representation submitted by the applicant before the competent authority i.e. respondent No. 4 requesting for cancellation of his transfer order is still pending, the O.A. is disposed of with the direction to respondent No.4 to consider the representation of the applicant and to decide the same as per extant rules / instructions and pass appropriate orders. It is further provided that till the representation of the applicant is decided, the operation of the impugned order will remain stayed."

3. The grievance of the applicant is that applicant on 7.5.2002 made an application before the respondent No.1 and seeking permission for joining in the forenoon on 7.5.2002. However, applicant was

not permitted to join. Instead a note was put to advise the applicant to approach Director General ICAR, New Delhi who was respondent No. 4 in the O.A. Thereafter, the applicant made other application to Secretary, ICAR on the same date and on 8.5.2002 to the Administrative Officer, CIRG, Mathura. However, the applicant was not allowed to join. The submission is that as the transfer was stayed the applicant was entitled to continue at Mathura. We do not think that any contempt has been made out. Director, CIRG was justified in advising the applicant to approach Director General, ICAR as a direction of the Tribunal was that to approach the respondent No. 4. i.e. Director General, ICAR. In fact for deciding the representation within specified period by the Director General, ICAR, the applicant should have approached him. As the four months period has not yet expired, there is no question of contempt at this stage. However, so far as the grievance of the applicant in respect of joining is concerned, applicant may approach respondent No. 4 i.e. Director General ICAR and file a supplementary representation along with the copy of this order so that this issue shall also be decided while deciding the representation of the applicant. Accordingly CCP is dismissed. Copy of the order be given to the counsel for the applicant.

B. Banerjee
MEMBER (A)

R
VICE CHAIRMAN

ALLAHABAD: DATED 23.5.2002

HLS/-