

OPEN COURT

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH : ALLAHABAD
CIVIL MISC. CONTEMPT PETITION NO.184 OF 2003

IN
ORIGINAL APPLICATION NO.1179 OF 1995
ALLAHABAD THIS THE 24TH DAY OF NOVEMBER,2003

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A
HON'BLE MR. A. K. BHATNAGAR, MEMBER-J

Sukhbir Singh,
S/o Sardar Pateh Singh,
O/o Military Farm, Dehradun Cantt,
Dehradun.Applicant
(By Advocate Shri K.C. Sinha)

Versus

1. Uma Bhattacharyya,
Director (Personal),
O/o Dy. Director General
of Military Farm, QMG's Branch, Army
HQ, West Block-III,
R.K. Puram, New Delhi.
2. Shri Basant Singh,
Maj. General,
O/o the Quartermaster,
General's Branch, Army Headquarter/QI(O),
D.H.Q. Post Office,
New Delhi.
3. Maj. Rohit Mittal,
Officer In-Charge,
Military Farm,
Dehradun Cantt.Respondents
(By Advocate)

ORDER

HON'BLE MAJ GEN. K.K. SRIVASTAVA, MEMBER-A

This contempt petition has been filed for wilful
dis-obedience of the order dated 21.10.2002 passed in O.A.
No.1179/95. The following order was passed:-

"In the facts and circumstances as mentioned above, in our opinion, the applicant may be given liberty to give fresh application requesting for change of his cadre, which may be considered and decided in the light of the letter dated 17.05.1988 (Annexure R.A.-1) within a period of four months from the date a copy of this order is filed before the competent authority. The O.A. stands disposed of. However, it is made clear that the change of cadre will be from the date of appointment as L.D.S.K. No order as to costs."

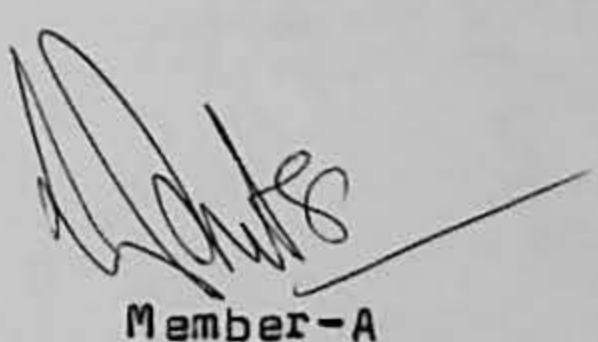
2. Learned counsel for the applicant submitted that the post of L.D.S.K. has been re-designated and the stand of the respondents for deciding the applicant's application dated 07.02.2002 by order dated 04.09.2003 (Annexure A-5) is not correct.

3. We have perused the order dated 21.10.2002, the application of the applicant (Annexure A-4) and the decision of the competent authority dated 04.09.2003 (Annexure A-5). The order dated 04.09.2003 (Annexure A-5) is a speaking order. However, if the applicant is still aggrieved, he may challenge the same on the original side.

4. In our opinion, no case of contempt is made out. The contempt petition is rejected in limine.



Member-J



Member-A

/Neelam/