

4  
CENTRAL ADMINISTRATIVE TRIBUNAL  
CUTTACK BENCH: CUTTACK

C.P. (CIVIL) No. 22 OF 1991

Date of decision: 31st March, 1992

Akhila Kumar Samal

.. Petitioner

-Versus

Union of India and others

.. Respondents

For the applicant : M/s R.N.Mohanty, K.P.Mohanty,  
K.C.Satpathy, Advocates.

For the respondents : Mr.Aswini K.Misra, St.Counsel

.. ..

CORAM:

THE HONOURABLE MR. K.P.ACHARYA, VICE CHAIRMAN

...

1. Whether reporters of local papers may be allowed to the the judgment? Yes.
2. To be referred to the reporters or not? No.
3. Whether His Lordship wish to see the fair copy of the judgment Yes.

5

## J U D G M E N T

K.P.ACHARYA,V.C.

This Contempt Petition arises out of the judgment passed in Original Application No. 40 of 1991 disposed of on February 26, 1991. In the said judgment direction was given by the Division Bench that in case the Departmental Authorities want to initiate a proceeding against the petitioner, it should be so done and the proceeding should be finalised within sixty days. Grievance of the Petitioner in this Contempt Petition is that though the petitioner has been put off from duty with effect from 24th March, 1990, the direction given by this Bench in the said judgment has not yet been complied and the petitioner has not been reinstated to the duty.

2, I have heard Mr. R.N. Mohanty learned counsel appearing for the petitioner and Mr. Aswini Kumar Mishra, learned Senior St. Counsel (Central).

3. Mr. Mishra submitted that there was slight delay in finalising the proceeding because the enquiry officer was transferred from Salepur to Bhadrak and after the new incumbent joined proceeding against the petitioner continued and it has been finalised by coming to a conclusion that one of the charges have been proved. The disciplinary authority has directed reinstatement of the petitioner to service without any backwages. I had called upon Mr. Mohanty to take instruction from his client, present in the court, as to whether he has received a copy of the order. The Petitioner told Mr. Mohanty that he has not received a copy of the order <sup>as</sup> yet. Mr. Mishra <sup>asserted</sup> ~~asserted~~ <sup>in</sup> ~~in~~ with emphasis that he has himself seen the file and such a conclusion has been arrived at by the disciplinary authority and due to some difficulty, the order has not been communicated. Opposit Party No. 2 is directed to cause service of the order on the petitioner within fifteen days from the date of receipt of a copy of

this order which should be served by the Registry on Opposite Party No.2 through a special peon. The Petitioner is at liberty to approach the Opposite Party No.2 as soon as possible with a copy of this order.

4. A copy of this order be sent to Opposite Party Nos.1,2 and 3 and a copy of this order be made available to the counsel for both sides.

5. In the light of the above mentioned facts and circumstances, the contempt petition is disposed of as dropped.

*K. Mohanty*  
31.3.92  
VICE CHAIRMAN

Central Administrative Tribunal,  
Cuttack Bench, Cuttack/31.3.92.  
K.Mohanty.

