

In The Central Administrative Tribunal
Calcutta Bench

CP(C) 108 of 2000
(OA 1057 of 1996)

Present : Hon'ble Mr. S. Biswas, Administrative Member
Hon'ble Mr. M.L. Chauhan, Judicial Member

Sunil Ch. Debnath

- VS -

Sisir Kr. Sinha (D/o Post)

For the Applicant : Mr. T.K. Biswas, Counsel

For the Respondents: Mr. S.P. Kar, Counsel

Date of Order : 09-05-2002

ORDER

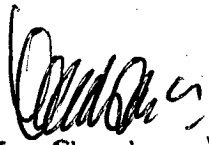
MR. M.L. CHAUHAN, JM


The applicant has filed this application with allegation that the order dated 27-8-1999 passed in O.A.1057 of 1996 has not been complied with by the respondent^s contemptors. As such he has prayed that direction be issued to the respondent contemptors to show cause as to why ^{not be drawn up} ~~the contempt proceeding should~~ under the provision of Contempt of Court for their willful and deliberate violation of the order dated 27-8-1999. While disposing of the aforesaid O.A. in para 7 of the order the Tribunal has passed the operative portion which is reproduced below :

Accordingly, the respondents are directed to consider the case of the applicant in the matter of disciplinary proceeding and decide the case in accordance with the law treating this application as representation of the applicant within four months from the date of communication of this order. With these observations, the O.A. is disposed of awarding no costs.

Contd....

2. The respondents have filed reply affidavit. In the reply it has been stated that after receipt of the order of this Tribunal dated 27-8-99 the follow-up action was taken up and the enquiry report was submitted on 29-12-99 within the time allowed by the Tribunal. As such according to the respondents, the direction issued by the Tribunal has been complied with. It has further been stated that thereafter a copy of the enquiry report was also sent to the applicant and the matter was also sent to the Director of Postal Services, Siliguri on 27-1-2000 for issuing final order and ultimately the final order awarding punishment of removal of services was passed on 4-9-2000/12-9-2000. In view of the stand taken by the Department, we are of the view that the direction issued by this Tribunal in O.A.1057 of 1996 has been complied with. As such notices issued to the respondents are hereby discharged and contempt proceedings is dropped. Thus, CP(C) stands disposed of.


(M.L. Chauhan)
Member(J)


(S. Biswas)
Member(A)

DKN