

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
CALCUTTA BENCH
CALCUTTA

CPC 47 of 2003
MA 276 of 2009
MA 321 of 2009
(OA 821 of 1997)

Date of Order : 21-08-2009

Present : Hon'ble Mr. K.V. Sachidanandan, Vice-Chairman
Hon'ble Mr. C. Chatterji, Administrative Member

Kartick Ch. Indu & Ors.
D/o Supply
-vs-
A. Lianzuala (Supply)

For the Applicants : None

For the Respondent : Mr. B.K. Das, Counsel

ORDER (ORAL)

PER MR. K.V. SACHIDANANDAN, VC:

The CPC 47 of 2003 has been filed by the applicants for non-compliance of the order of the Tribunal dated 24.9.2002 passed in OA 821 of 1997. The operative part of the said order is as follows :

"In so far as Bhoop Singh's case is concerned the same is not applicable in the present case. In the present case the applicants preferred representation which has been considered and disposed of on merit on 4.4.1997 and the present OA has been filed within a period of one year, in the result, the OA is allowed. The order impugned is quashed and set aside. The respondents are directed to give 4 advance increments to the applicants from the date when it became due with all consequential benefits within a period of three months from the date of receipt of the order. No costs".

2. When the order was not complied with, the contempt petition has been filed and the matter came up on many occasions and finally personal appearance of the alleged contemnor



has been ordered to be insisted. Application for exemption had been filed and ultimately the same was granted. However, alleged contemnor was present in Court to-day.

3. None is present on behalf of the applicants. Mr. B.K. Das, Ld. Counsel for the alleged contemnors/respondents has appeared and produced the order dated 19.08.2009 and submitted that order of the Tribunal has been complied with.

4. On going through the said order, we are of the view that there is substantial compliance of the order of the Tribunal and, therefore, CPC will not stand on its leg and to be dropped. Accordingly, CPC is dropped. Notices, if any issued, will be discharged. Personal appearance of alleged contemnors are dispensed with. Liberty is given to the applicants to approach the appropriate forum on the original side, if they are further aggrieved.

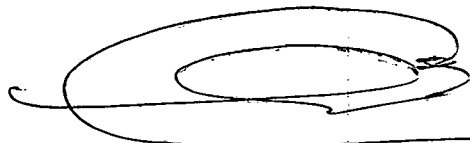
5. MA 276 of 2009 is an application for recalling of the order of the Tribunal dated 17.06.2009 passed in CPC 47 of 2003. Since the order of the Tribunal has been complied with, the Ld. Counsel for the alleged contemnors/respondents does not want to press this MA. Hence, MA is dismissed as not-pressed.

6. MA 321 of 2009 is an application for deletion of the name of the alleged contemnor as the alleged contemnor is no longer holding the office of the Chief Controller of Accounts. Since the Ld. Counsel for the alleged contemnors does not want to press this MA, it is also dismissed as not-pressed.



MEMBER(A)

DKN



VICE-CHAIRMAN