

**Central Administrative Tribunal, Lucknow Bench,
Lucknow**

Contempt Petition No. 60 of 2004

In

Original Application No. 489/1998

This the 22nd day of February, 2010

Hon'ble Mr. Justice A.K. Yog, Member (J)
Hon'ble Dr. A.K. Mishra, Member(A)

Umesh Kumar Tiwari, Aged about 34 years, S/o Sri Jagat Kishore Tiwari, R/o ES-IB, Sitapur Road Yozna, Sector 'A', Aliganj, Lucknow (Presently residing at Shrinagar Mohibullapur, Lucknow)

.....Applicant

By Advocate: Sri R.C. Singh

Versus

1. Sri Ashok Amrohi, Chief Passport Officer & Joint Secretary, Government of India, Ministry of External Affairs (CPV Division), Patiala House, Annexe, Tilak Marg, New Delhi.
2. Sri Ravi Shanker, Under Secretary (PV), Government of India, Ministry of External Affairs (CPV Division), Patiala House, Annexe, Tilak Marg, New Delhi.
3. Sri Vinay Srivastava, Passport Officer, Government of India, Ministry of External Affairs, Nav Chetna Kendra, Ashok Marg, Hazratganj, Lucknow.
4. Shri R.K. Puri, Under Secretary (PV), Government of India, Ministry of External Affairs (CPV Division), Patiala House, Annexe, Tilak Marg, New Delhi.

.....Respondents

By Advocate: Sri S.P. Singh for Sri Rajendra Singh

ORDER

Delivered by Dr. A.K. Mishra, Member-A

Heard the learned counsel for the petitioner.

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2. The learned counsel for the applicant submits that though this Tribunal in its order dated 18.3.2004 in O.A. No. 489 of 1998, directed the respondent-authorities to examine the request of the applicant for reinstatement in the light of the decision of Trial Court and if on such examination, the applicant was reinstated, his temporary status would be restored as was done in the case of others vide order dated 21.1.2004. He further submits that the applicant has been reinstated as a casual employee, but temporary status has not been given w.e.f. 1.9.1993 as was done in respect of other candidates who were joint applicants in O.A. no. 551 of 1994.

3. We have gone through the records. From the compliance report submitted by the respondents, we find that the request of the applicant for reinstatement from a back date had been examined by the respondent-authorities and it was found that the applicant was himself responsible for serious negligence of his duties in not guarding the valuable office documents and that according to the respondents, the applicant's integrity was not beyond doubt.


4. Be that as it may, this position has not been taken in the O.A. no. 489 of 1998 and specific direction had been issued by this Tribunal to consider restoration of his

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temporary status as was done in respect of others. In view of this fact, we dispose of the Contempt petition with a direction to the competent authority to render compliance to the specific direction, which was given by this Tribunal in its order dated 18.3.2004 within a period of three months from the date of receipt of a copy of this order. Notices issued stand discharged.


(Dr. A.K. Mishra)
Member (A)

Girish/-


(Justice A.K. Yog)
Member (J)