

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P. 23/99 in
Original Application No.1226/96.

Friday the 16th day of July 1999

CORAM: Hon'ble Shri D.S. Baweja, Member(A)
Hon'ble Shri S.L. Jain, Member (J)

Harishchandra J. Kili.

... Applicant.

By Advocate Shri P.A. Prabhakaran.

V/s.

Union of India
and others.

By Advocate Shri R.K. Shetty.

O R D E R (ORAL)

¶ Per Shri D.S.Baweja, Member(A) ¶

This Contempt Petition has been filed by the applicant in O.A. 1226/96 against the order dated 5.9.1997 on the allegation that the respondents have not complied with the order of the Tribunal.

2. On going through the order dated 5.9.1997 it is noticed that the O.A. was dismissed. However some observations were made in para 6 of the order providing that in case the applicant makes an application for a job again, then his request for the same treating him under the Special Backward Class may be considered. The applicant is alleging non compliance of these observations.

3. Once the O.A. has been dismissed, if any ^{any} observations made by the Tribunal giving discretion to the respondents to consider the case of applicant, then the

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non compliance of such a directions/ observations cannot be taken as that the order of the Tribunal has not been complied with. In view of this, we do not find that there is any case of contempt of Court. In the circumstances the Contempt Petition is not sustainable and the same is ^{dismissed} ~~discharged~~.

4. If the applicant has any grievance against the order of the respondents, he can agitate the matter separately by filing an O.A. as per law.

Jain
(S.L. Jain)
Member (J)

Bawej
(D.S. Bawej)
Member (A)

NS

Order/Judgement despatched
to Applicant/Respondent (s)
on 30/7/99.
dd/16/99

Q
21/8/99