

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

C.P. No.: 85/2001 IN O.A. No. 1059/96.

Dated this Friday, the 4th day of January, 2002.

CORAM : ~~Hon'ble Shri B. N. Bahadur, Member (A)~~

Hon'ble Shri Justice B. Dikshit, Vice-Chairman.
~~Hon'ble Shri B. N. Bahadur, Member (A)~~

Smt. S.C. Ghadigaonkar

... Petitioner.

(By Advocate Shri S. P. Kulkarni)

VERSUS

1. Shri T. V. Rao,
General Manager (H.Q.),
Dept. of Telecom,
O/o. CGM, Fountain-II Bldg.,
Fort, Hutatma Chowk,
Mumbai - 400 001.

(On deemed deputation to Bharat
Sanchar Nigam Limited).

2. Shri Nirmal Swaroop,
the then CGM Telecom,
(Now) Chief General Manager,
BSNL, Fountain-II Bldg.,
Fort, Hutatma Chowk,
Mumbai - 400 001.

... Contemners.

(By Advocate Shri S. S. Karkera)

TRIBUNAL'S ORDER :

According to the arguments advanced by Learned Counsel
for Applicant, there is wilful disobedience of final order passed
in O.A. No. 1058/96, 1059/96 and 1060/96 on 10.03.1996

B. Dikshit

3. Once the O.A. was dismissed as infructuous in view of Respondents' order dated 19.12.1996 promoting applicant, we are of opinion that it cannot be said that there is wilful disobedience of final order as no direction was given by the

... 3.

Tribunal. However, in case the applicant is aggrieved by the reversion by some order passed subsequent to dismissal of O.A., then she may seek appropriate remedy, if under law it is available to her but no action of wilful disobedience of order constituting contempt of order arise.

4. We make it clear that we are not expressing any opinion to the argument of the Learned Counsel for applicant that the order was passed so that the O.A. may become infructuous before it could be heard on merits. ~~As~~ We do not consider it necessary to go into this question to determine the grievance of the applicant that the order has been wilfully disobeyed.

5. For the aforesaid reason, the C.P. is dismissed.

B. Bahadur
(B. N. BAHADUR)
MEMBER (A).

B. Dikshit
(BIRENDRA DIKSHIT)
VICE-CHAIRMAN.

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