

C.P. No.61/2000

in

O.A. No.158/2000

Date : 27.8.2001.

Heard Mr.S.P. Saxena, Counsel for the applicant and Mr.R.K. Shetty, Counsel for the Respondents.

Applicants have moved an application for drawing contempt proceedings against Commandant, Station Headquarters, Kirkee, Pune as well as Chief Signal Officer, Headquarters, S.C., Pune.

The ground for drawing proceedings as set out in the contempt application is for wilful dis-obedience of the order of this Tribunal dated 2.2.2001 in O.A.158/2000: Mrs.Daisy John and Anr. Vs. Union of India & Others. Before drawing any proceedings under Section 11 read with 12, Contempt of Courts Act, we would like to have departments version for which we direct Commandant, Station Headquarters, Kirkee, Pune to be present before this Tribunal on 10.9.2001.

Let the case be on Board on 10.9.2001.

A copy of this order be issued within 24 hours to Counsel for the Respondents Mr.R.K. Shetty, who has been representing in this O.A.

*B.N. Bahadur*  
( B.N. Bahadur )

Member (A)

*B. Dikshit*  
( Birendra Dikshit )  
Vice Chairman.

H.  
Ct. 27/8/01  
order/Judge sent despatched  
to Applicant/Respondent(s)  
8/2 29/8/01

*MS*

CP No. 61/2001 in OA No. 158/2000.

Date : 10.9.2001.

An application, which has been filed today, carries the statement of Respondent No.1 that the Board Officers are being assembled <sup>assembling</sup> at Army Headquarters within a fortnight to finalise to fill up the vacancies on extreme compassionate ground. They have also stated that existing ~~vacancies~~ <sup>vacancies</sup> are only 20 out of which 5% i.e. four are earmarked for such cases. In our view earmarking of cases should be one instead of four, which needs correction. We shall allow correction of the same.

So far as our directions in OA are concerned, that has not been given effect by the department, though about 7 months have been passed while the respondents ~~are~~ <sup>were</sup> supposed to carry out the directions of the Tribunal within 3 months.

Under the circumstances mentioned above, we direct the Respondent No.1 to file affidavit explaining as to what steps have been taken by Respondents in respect of time <sup>within</sup> which <sup>order</sup> was to be implemented <sup>i.e.</sup> within 3 months from the date of communication. Learned Counsel for the Respondents prays for 3 weeks time for filing affidavit in that behalf. In view of the position explained above, we grant Respondents 2 weeks time for filing the affidavit.

Let the case be listed on  
26.9.2001.

order/summons  
to Appellants  
on 09/09/2001  
dispatched  
by ( M.P. Singh )  
Member (A).

*B. Dikshit*  
( Birendra Dikshit )  
Vice Chairman.

H.