

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

C.P. No.: 47/2002 IN O.A. No. 923/2001

Dated this Friday, the 13th day of December, 2002.

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

Hon'ble Shri S. L. Jain, Member (J).

Pawar Haribhau Vyankatrao,
R/o. Paithan,
Dist. Aurangabad.

... Applicant.

(By Advocate Shri G.L. Ladhe)

VERSUS

1. Babanrao Narayan Patil,
Assistant General Manager,
Telecom Aurangabad.

2. Union of India, New Delhi
& Others.

... Respondents
(Contemnor)

(By Advocate Shri V. S. Masurkar)

TRIBUNAL'S ORDER :

We have heard Learned Counsel, Shri G.L. Ladhe, who has assisted us in the matter of going into the Contempt Petition No. 47/2002. A reply has also been filed. Learned Counsel, Shri V.S. Masurkar, has taken us through the reply.

2. The first point made is that the order in the O.A. merely states that Respondents should ensure that Applicant's legitimate dues are paid to him as early as possible and preferably within two months. It is not as if the question of quantification of these dues have been arrived at in the order in O.A. It, therefore, implies that these dues will be paid as admissible and entitled as per rules.

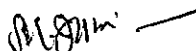
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3. This aspect has been gone into in para 7 of the Reply Statement which we have gone through with the assistance of both counsel. We are not going de novo into the merits of the case. If there is no admissibility of dues, this cannot be paid. The Applicant cannot come up in the case for fresh assessment of his grievance. In respect of matter regarding posting at Kannad, we find that there is no contempt or any wilful disobedience of the order on any count.

4. Since there is no wilful disobedience of the order evident, we find no reason to pursue the issue raised in this contempt petition. The Contempt Petition is hereby dismissed.

5. Notices on C.P. issued are discharged. No costs.


(S.L. JAIN)
MEMBER (J).

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