

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

CONTEMPT PETITION NO.54/2003 IN
IN ORIGINAL APPLICATION NO:555/2001

1ST MAY, 2003

TRIBUNAL'S ORDER:

The applicant in person complains about the non implementation of the orders passed in the OA. The directions given in the OA were that the respondents shall re-consider the applicant's representation alongwith the other grounds taken by him in the OA as part of representation in accordance with law, rules and instructions and dispose of the same with a speaking order. Shri S.C.Dhawan, learned counsel for the respondents submit^d that the representation of the applicant has been reconsidered by the competent authority and has vide his order dated 1/2/2002 stated as under:-

"However, considering the similarity of your case with that of Shri B.V.Pathare and Shri P.L.Khanna and in view of implementation of Hon'ble Tribunal, Mumbai's orders in their favour for grant of seniority from date of adhoc posting as ACM (Catg), you are also assigned seniority counting your adhoc period of service. It is therefore proposed to fix your seniority below Shri B.V.Pathare who is at Sr.No.3 and above Shri P.L.Khanna who is at S.No.4 in the combined Group 'B' seniority list of Commercial & Traffic Departments issued on 17/9/2001, subject to condition that representation, if any received from the affected officers will be considered and the administration is satisfied that they have no claim whatsoever in this regard."

The applicant in person makes grievance that this order is not communicated to him. We direct Shri S.C.Dhawan to supply a copy of this order to the applicant, ^{the} ~~and~~ applicant also makes the grievance that the respondents have not acted upon the order and not given him the seniority as directed in the order. We expect that whatever decision is taken will be acted upon by the respondents at the ^{the} ~~earlier~~st. We do not find any contempt having

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been committed by the respondent as we find that the representation has been decided by the respondents. Whether it is acceptable or not ~~is~~ not palatable ~~and it is not acceptable to~~ ^{to the} the applicant, he cannot hold the respondents liable to contempt. We find that there is no merit in the CP. CP-54/2003 is disposed of.

Shankar Prasad
(SHANKAR PRASAD)
MEMBER(A)

A. S. Sanghvi
(A. S. SANGHVI)
MEMBER(J)

abp