

CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH  
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Commercial Complex (BDA)  
Indiranagar  
Bangalore - 560 038

Dated : 1-2 MAR 1990

CONTEMPT  
PETITION (CIVIL)

APPLICATION NO (S) \_\_\_\_\_

2

/ 90

IN APPLICATION NO. 1493/86(T)

W.P. NO (S) \_\_\_\_\_

Applicant (s)

Shri N. Sreenivasan  
To

Respondent (s)

V/s

The Additional Secretary, Dept of Space,  
Bangalore & anr

1. Shri N. Sreenivasan  
Engineer -SF  
Civil Engineering Division  
Department of Space  
Bangalore - 560 054
2. Shri M. Madhusudan  
Advocate  
844, (Upstairs), 17th 'G' Main  
V Block, Rajajinagar  
Bangalore - 560 010
3. The Additional Secretary  
Department of Space  
Govt. of India  
F-Block, Cauvery Bhavan  
Bangalore - 560 009

4. The Chief Engineer  
Civil Engineering Division  
Department of Space  
Cauvery Bhavan  
Bangalore - 560 009
5. Shri M. Vasudeva Rao  
Central Govt. Sng Counsel  
High Court Building  
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith a copy of ORDER/~~W.P.~~ C.P. (Civil)  
passed by this Tribunal in the above said application (s) on 23-2-90.

Encl : As above

*R. V. Venkatesh*  
DEPUTY REGISTRAR  
(JUDICIAL)

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE BENCH, BANGALORE

DATED THIS THE 23RD DAY OF FEBRUARY 1990

Present: Hon'ble Shri P.Srinivasan .. MEMBER(A)  
Hon'ble Shri N.R.Chandran .. MEMBER(J)

CONTEMPT PETITION NO.2/90  
(A.No.1493/86)

N.Sreenivasan,  
Engineer-SF,  
Civil Engineering Divn.  
D/o Space,  
Bangalore 54.

.. Applicant.

(Sh.M.Narayanaswamy ..Advocate)

vs.

1.The Additional Secretary,  
GOI, D/o Space,  
F-Block, Cauvery Bhavan,  
Bangalore 9.

2.The Chief Engineer,  
Civil Engg. Division,  
D/o Space,  
Cauvery Bhavan,  
Bangalore 9.

.. Respondents.

(Sh.M.Vasudeva Rao ..CGSC)

This application has come up today before this  
Tribunal for orders. Hon'ble Member(A) made the following:

O R D E R

By this petition the applicant in A.No.1493/86(T)  
complains that the respondents therein have disobeyed the  
order of this Tribunal dated 16.9.1987 disposing of  
that application.

2. Shri M.Madhusudan for the petitioner and Shri  
M.V.Rao for the respondents have been heard.

3. In A.No.1493/86(T) the applicant challenged an  
order dated 12.10.1983 imposing on him the penalty of

*P. Srinivasan*



withholding of one increment for one year without cumulative effect. After hearing the parties, this Tribunal passed the aforesaid order of which the operative portion reads as under:

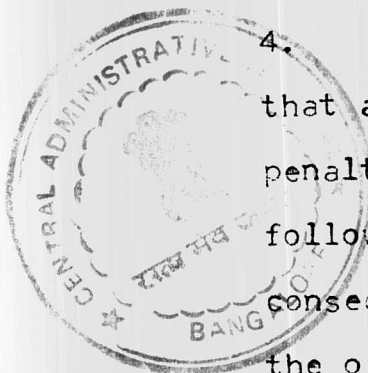
" In the light of our above discussion, we allow this application in part and quash the impugned orders. But, this does not prevent Government from supplying a copy of the report of the Chief Engineer to the applicant, call for his reply or say thereon within a reasonable time and then decide the matter afresh in accordance with law."

Shri Madhusudan admits that <sup>withheld</sup> ~~the withholding~~ of one increment as a result of the order dated 12.10.1983 has been restored to the applicant as a result of the order of this Tribunal. His complaint is that once the penalty order stands cancelled the applicant should be given all consequential benefits like promotion, confirmation, etc., that fell due to him.

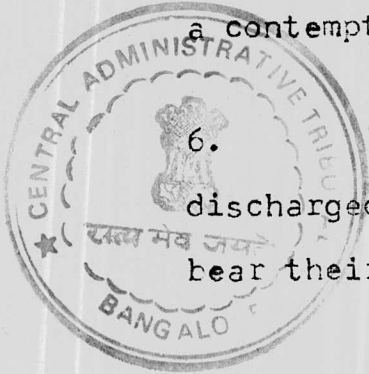
4. Shri M.Vasudeva Rao for the respondents submits that all that this Tribunal ordered was to cancel the penalty and that has been done. What consequences should follow is for the respondents to decide. Not granting consequential benefits does not amount to disobedience of the order of this Tribunal.

5. Having considered the rival contentions we are satisfied that there is no case for contempt. The order of this Tribunal has been implemented in letter and spirit. The question of any consequential

P. S. 



benefits has not been considered by this Tribunal in  
1) its order under reference. If the applicant has any  
grievance about any confirmation and promotion to which  
he is eligible he can agitate it separately and <sup>not by</sup> through  
a contempt petition.



6. In the result the notice of contempt is  
discharged and this petition dismissed. Parties to  
bear their own costs.

Sd-

MEMBER(A) 23/2/70

Sd-

MEMBER(J)

TRUE COPY

bk.

*R. V. M. Thadaf*  
DEPUTY REGISTRAR (JDL) 23/2/70  
CENTRAL ADMINISTRATIVE TRIBUNAL  
BANGALORE