

REGISTERED

- CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Commercial Complex(BDA)
Indiranagar
Bangalore - 560 038

Dated : 7 JUN 1988

CONTEMPT OF COURT APPLICATION NO
IN APPLICATION NO. 1536/86(T)
W.P. NO.

23 /88

9077 /80

Applicant

Shri A.J. Ghasti

Respondent

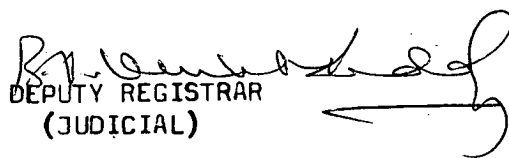
V/s The PMG, Karnataka Circle, Bangalore & another

To

1. Shri A.J. Ghasti
C/o Shri C.R. Patil
Advocate
1272, 8th 'A' Main
Prakash Nagar
Bangalore - 560 021
2. Shri C.R. Patil
Advocate
1272, 8th 'A' Main
Prakash Nagar
Bangalore - 560 021
3. The Post Master General
Karnataka Circle
Bangalore - 560 001
4. The Superintendent of Post Offices
Gokak Division
Gokak
5. Shri M.S. Padmarajaiah
Central Govt. Sng Counsel
High Court Building
Bangalore - 560 001

Subject : SENDING COPIES OF ORDER PASSED BY THE BENCH

Please find enclosed herewith the copy of ORDER/~~SPR~~/ ~~INTERIM ORDER~~
Contempt of Court 2-6-88
passed by this Tribunal in the above said application on _____.

dc - 
DEPUTY REGISTRAR
(JUDICIAL)

Encl : As above

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH: BANGALORE

DATED THIS THE SECOND DAY OF JUNE, 1988

Present: Hon'ble Shri Justice K.S. Puttaswamy .. Vice Chairman
Hon'ble Shri P. Srinivasan .. Member (A)

C.C. APPLICATION NO. 23/1988

Shri A.J. Ghasti
R/o. Raichur,
ccc: Service as Head Post
Master
Raichur.

.. Applicant

(Shri C.R. Patil, Advocate)

Vs.

1. The Post Master General
Karnataka Circle
Bangalore-1.
2. The Supdt. of Post Office
Gokak Division
Gokak

.. Respondents

(Shri M.S. Padmarajaiah, Advocate)

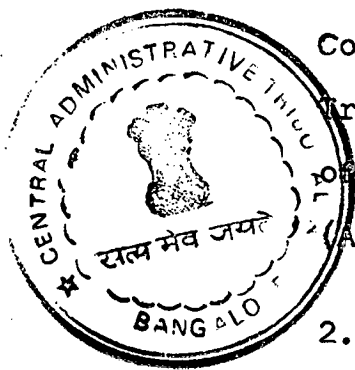
This application have come up before this
Tribunal for hearing today. Hon'ble Vice Chairman,
made the following:

ORDER

In this application made under Section 17
of the Administrative Tribunals Act, 1985 and the
Contempt of Court Act 1971, the petitioner has moved this
Tribunal to punish the Contemners for non-implementation
of an order made in his favour on 6.2.1987 in A.No.1536/86
(Annexure-G).

2. In A. No. 1536/86, the applicant had
challenged an order made by the Post Master General (PMG)

.....2/-



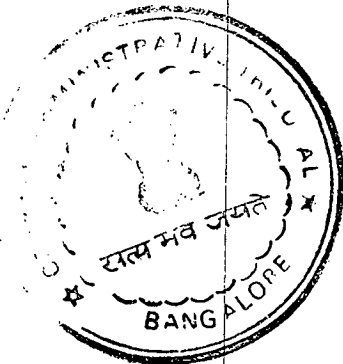
Bangalore on 23.3.1980 which was resisted by the Respondents. On an examination of that order, this Tribunal by its order dated 6.2.1987 quashed the same without issuing any directions in that behalf. On 6.11.1987 the PMG has made an order regulating certain service matters of the petitioner. The petitioner complains that this order does not fully implement the order made by this Tribunal in A.No.1536/86.

3. In their reply the Respondents have asserted that they had faithfully implemented the order made by this Tribunal and the later order made by the PMG on 6.11.1987 does not constitute contempt of this Tribunal.

4. Shri C.R. Patil, learned counsel for the petitioner, contends that the order made by the PMG on 6.12.1987 was in violation of the order made by this Tribunal on 6.2.1987 in A. No. 1536/86 and the same constitutes contempt of this Tribunal.

5. Shri M.S. Padmarajaiah, learned counsel for the respondents refuting the contention of Shri Patil contends that the order made by the PMG on 6.11.1987 does not constitute contempt of this Tribunal at all.

6. We have carefully examined order made by this Tribunal on 6.2.1987 and the later order made by the PMG on 6.11.1987.



7. In our order we had not issued any directions on any one of the matters to the PMG. Our order only quashed the order challenged in the application. When that it is so, it is difficult to hold that the order made by the PMG on 6.11.1987 on the correctness of which we express no opinion, does ~~not~~ at all constitute contempt of this Tribunal.

8. We need hardly say that if the applicant is aggrieved by the order made on 6.11.1987, it is undoubtedly open to him to challenge the same ~~order~~ in separate legal proceedings on all such grounds as are available to him.

9. In the light of our above discussion, we hold that these contempt of court proceedings are liable to be dropped. We, therefore, drop the contempt proceedings with no order as to costs. But this does not prevent the petitioner from challenging the order dated 6.11.1987 in separate legal proceedings.



mr.

Sd/-
VICE CHAIRMAN
2/6/88

Sd/-
MEMBER (A)

TRUE COPY

[Signature]
DEPUTY REGISTRAR (JDL)
CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE
7/6/88