

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
BOMBAYBENCH

C.P. 41/91 in
O.A.122/91

Vikram Laxmanrao Bhosle,
Telecom Township, Type II,
Bldg.No.19, Room No.308,
Deonar, Bombay - 400 088.

.. Applicant

vs.

1. Union of India
through
The Director General Telecom,
Sanchar Bhavan,
New Delhi - 110 001.

2. Shri Roop Narain,
Chief General Manager,
Telecom Factory,
Deonar,
Bombay - 400 088.

3. Shri S.B.Kadam,
Personnel Officer,
Telecom Factory,
Deonar,
Bombay - 400 088.

.. Respondents

Coram: Hon'ble Shri Justice U.C.Srivastava,
Vice-Chairman

Hon'ble Shri M.Y.Priolkar, Member(A)

Appearances:

1. Mr.D.V.Gangal
Advocate for the
Applicant.

2. Mr.P.M.Pradhan
Counsel for the
Respondents.

TRIBUNAL'S ORDER:

Date: 3-1-1992

(Per U.C.Srivastava,Vice-Chairman)


This Contempt Petition has been
filed against our order dtd. 5-4-91. The appli-
cation was finally disposed of with certain
directions. The respondents were directed to
hold the DPC within one month and consider
the selection to the post in question in accordance
with the recruitment rules. The applicant in the
contempt petition has stated that the order
passed by ~~this~~ this Tribunal has been flouted

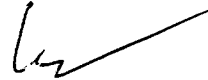
interim order. When the Bench was fully competent to take a particular view has already taken a view so far as the two directions are concerned there is no contempt. We cannot sit in a judgment over an order passed by the Bench, nor we disagree with the same.

6. So far as the third direction is concerned the said O.A. was finally disposed of on 12-8-1991 with a direction that the said post of Security Officer shall be treated as an unreserved post and quash and set aside any arrangements made by the respondents to make appointments to it on any other basis. The Bench further directed that if the respondents wish to make appointments against the said post they shall do it in accordance with the rules applicable to unreserved posts.

7. We have gone through the DPC proceedings which took place thereafter on 26-9-1991. They were of the view that although it was a reserved post but in view of the direction given by the Tribunal it will be treated as unreserved post. Names of the three candidates including that of applicant were considered. According to the DPC two of them were considered not suitable and it appears that the applicant is considered suitable but in view of the fact that disciplinary proceedings are pending against him his name has not ^{been} recommended. Thus the directions given by the Tribunal in that case has also been complied with and it cannot be said that any contempt has been committed by the respondents.

8. The contempt petition in these circumstances has ~~to~~ got to be dismissed. It is accordingly dismissed and the respondents are discharged with an observation that it is desirable that the disciplinary proceedings should be completed at the most within a period of two months from the date of communication of this order.


(M.Y. PRIOLKAR)
Member(A)


(U.C. SRIVASTAVA)
Vice-Chairman

MD