

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH, MUMBAI.

C.P.NO.33/1999  
IN O.A.NO.909/93

CORAM: HON'BLE SHRI S.K.I NAQVI, MEMBER (J)  
HON'BLE SMT. SHANTA SHASTRY, MEMBER (A)

V. Shankar Rao,  
Ex.Motor Driver,  
Office of S.D.O.  
Telecom,  
Nanded  
(Shri G.S.Walia, Advocate)

..... Petitioner

Vs.

Shri Ravi Bhargava,  
District Telecom Manager,  
or his Successor in Office,  
Nanded.

.... Respondents.

(Shri V.S.Masurkar, Advocate)

ORDER DATED 02.02.2001

[PER: S.K.I.Naqvi, Member (J)]

As per Petitioner's grievance, the competent authority in the Respondent establishment passed order dated 10.5.1999, without taking into consideration the directions and the observations in connected Original Application No.909/93 decided on 30th September, 1998 by this Bench.

2. In the connected O.A. this Bench was pleased to make some observations in para 10 and remanded the case, with the observation that the Appellate Authority shall give personal hearing to the Applicant regarding penalty and then apply his mind to the facts and circumstances of the case in the light of observations made in the Order. Consequent to this direction, order dated 10.5.1999 has been passed. The preamble of this order goes to show that while deciding the matter at that stage the authority i.e. the District Manager of Telecommunication, Dist. Nanded, took into consideration of the direction and observation by the Bench but ultimately found that the order of removal needs no interference.

*Sue*

..2./-

3. With the above position, we find that this is not the case to be covered under the head Civil Contempt. The notices are discharged accordingly.

4. Counsel for Petitioner mentions at that stage that liberty be granted to knock again by filing another O.A. Liberty granted accordingly.

*Shanta I*  
(Smt. Shanta Shastri)

Member (A)

*S.K.I. Naqvi*  
(S.K.I. Naqvi)

Member (J)

sj\*

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