

BEFORE THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P.No.69/97 in OA.NO.700/95

Monday this the 30th day of March, 1998

CORAM: Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri P.P.Srivastava, Member (A)

Smt.A.A.Bhoir

By Advocate Shri C.M.Jha ... Applicant

V/S.

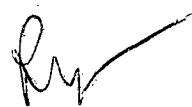
Union of India & Ors. ... Respondents

Tribunal's Order

This is a contempt petition filed by the applicant alleging that the respondents have violated the order passed by this Tribunal dated 17.2.1997 in OA.NO. 700/95. Respondents have filed reply opposing the contempt petition. Heard the learned counsel for both sides.

2. By the order dated 17.2.1997 in OA.NO.700/95 this Tribunal directed the respondents to consider the case of the applicant sympathetically within a particular time limit. Now the respondents have considered the case of the applicant but did not grant her the relief and rejected her request by the impugned order dated 2.9.1997.

According to the applicant, since the respondents have not granted the relief, the order of the respondents amounts to violation of the order passed by this Tribunal.



3. This Tribunal only directed the respondents to consider the representation of the applicant sympathetically and pass appropriate orders within a particular time limit. Now in the impugned order the respondents have given some reasons as to why the relief cannot be given to the applicant. In our view, the impugned order is in compliance of the order passed by this Tribunal, though the order may not satisfy the term of the applicant. If the applicant is not satisfied with the reply dated 2.9.1997 and if she is entitled to any relief in law, she is to agitate the same by filing a fresh OA according to law. But we are satisfied that there is no illegality in the order passed on 2.9.1997 with reference to the order passed by this Tribunal on 17.2.1997. Hence, in our view, no case is made out for contempt proceedings.

4. In the result, Contempt Petition is rejected. However, this order is without prejudice to the applicant to approach the competent authority or appropriate forum according to law. No costs.


(P.P. SRIVASTAVA)

MEMBER (A)


(R.G. VAIDYANATHA)
VICE CHAIRMAN

mrj.

(c)

order/Judgment despatched
to Appellant respondent(s)
on 24/4/98


284