

CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH

Contempt Petition No.2/2002
in
Original Application No.739/95

Dated this Friday the 3rd Day of May, 2002.

Hon'ble Shri Justice Birendra Dikshit, Vice Chairman
Hon'ble Smt. Shanta Shastry, Member (Administrative).

R. Padmanabhan,
Sub-Divisional Engineer,
SPC Telex, 9th Floor,
Prabhadevi Telephone Building,
Mumbai - 400 028.

.. Petitioner
(Original
Applicant).

(By Advocate Shri K.B. Rajan)

Versus

1. Shri Shyamal Ghosh,
Director General
Telecom Commission,
Sanchar Bhavan,
Ashoka Road,
New Dehli - 110 001.
2. Mr.K.N. Mahadevan,
Chief General Manager,
MTNL, Telephone House,
V.S. Marg, Dadar (West),
Mumbai - 400 028.

.. Proposed
Contemnors
(Original
Respondents)

(By Advocate Shri V.S. Masurkar)

Order on Contempt Petition (Oral)
{ Per : Smt. Shanta Shastry, Member (A) }

In O.A.739/95, the Tribunal directed to consider the promotion of the applicant from the date on which his immediate junior was promoted to TES Gr.B against the vacancies arising during 1993-94. This exercise was to be completed within 3 months from the date of receipt of

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copy of the order. It was further directed that the applicant would be entitled to only notional fixation of pay in the cadre upto the period when he was promoted on adhoc basis to TES Gr.B in 1995. The applicant filed Contempt Petition on 5.12.2001 complaining that the orders of the Tribunal have not been complied with. The Respondents have now complied with the order by issuing the promotion order of the applicant on 19.4.2002 by promoting him to TES Gr.B with effect from 3.6.1994 and stating that he is entitled to only notional pay in TES Gr.B with effect from 3.6.1994 upto the period when he was promoted on adhoc basis to TES Gr.B in 1995.

2. The applicant is satisfied that he has been promoted, however, the applicant wants that his seniority should also have been properly fixed vis-a-vis his junior.

3. There is no such direction in the Tribunal's order, therefore, it cannot form subject of contempt. We are satisfied that the directions of the Tribunal have been complied with, accordingly the contempt proceedings are dropped, notice is discharged and the contempt petition is dismissed.

Shanta K

(Smt. Shanta Shastry)
Member (A).

B. Dikshit

(Birendra Dikshit)
Vice Chairman.

H.

dr
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M.J