

C.P. 47/2004 in
OA 508/1997

Dated: 3.9.2004

Applicant by Shri S.V. Marne.
Respondents by Shri R.R. Shetty.

The present C.P. has been filed for non-compliance of the order of the Tribunal dated 8.8.2003 in OA 508/97. The operative portion of the order is as follows:

"For the reasons discussed above we allow this OA and quash and set aside the order dated 4.10.1996 passed by the Disciplinary Authority imposing the penalty of removal from service and confirmed by the Appellate Authority and direct the respondents to reinstate the applicant in service forthwith with all consequential benefits of the service including backwages. The respondents are also directed to pay cost of Rs. 5000/to the applicant."

2. Heard Shri S.V. Marne, learned counsel for the applicant and Shri R.R. Shetty counsel for the respondents.
3. Shri Marne brought to our notice that earlier C.P. filed by the applicant was disposed of on the statement made by the respondents that the process regarding backwages have been undertaken and efforts will be taken to settle the payment within 6 months.
4. It appears that after making this statement no compliance has been made. The respondents have sought time to comply with the

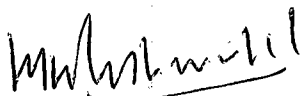
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order. Time was granted. Even after the expired of time the order has not yet been complied. The learned counsel for the respondents stated that Writ Petition is filed, which is not listed. The same statement was mentioned on 9.7.2004 also. It appears that the respondents are not trying to pursue the matter in the High Court. In the circumstances, the applicant has made prima facie case for issue of notice on C.P.

5. Issue notice to the respondent No. 1 as to why contempt proceedings should not be taken against them. Personal appearance is dispensed with.

6. List the case on 11.10.2004.


(S.G. Deshmukh)
Member(J)


(A.K. Agarwal)
Vice Chairman

NS

C.P. Notice
Issued on 24/9/04
K-S