

CENTRAL ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH

C.P.No.105/2001 in  
O.A.No.1007/98

Dated this Tuesday the 18th Day of December, 2001

Hon'ble Shri Justice B.N. Singh Neelam, Vice Chairman  
Hon'ble Smt. Shanta Shastry, Member (A).

Kundan Dhondiram Mohite

.. Petitioner  
(Org.Applicant)

(By Advocate Shri S.S. Karkera)

, Versus

1. Union of India, through  
the Secretary,  
Indian Council of Agricultural  
Research, Krishi Bhavan,  
New Delhi - 110 001.

2. Dr.S. Sreenivasan,  
The Director,  
Central Institute for  
Research on Cotton Technology  
(CIRCOT), Indian Council of  
Agricultural Research,  
Adenwala Road, Matunga,  
Bombay - 400 019.

.. Respondents.

(By Advocate Shri V.G. Rege).

ORDER (ORAL)

{ Per : Justice B.N. Singh Neelam, Vice Chairman }

This contempt petition was filed on 15.10.2001 with a grievance as detailed therein with regard to non compliance of order so passed while disposing of the O.A.No.1007/98 on 22.6.2001. An M.P. for extension of time so filed on behalf of the respondents was disposed of on 2.11.2001. Respondents have filed their reply to the C.P. on 26.11.2001 to which applicants have also filed their rejoinder to the reply on 27.11.2001. In the show cause it has been detailed that with regard to

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directions given in O.A.1007/98 steps have already been taken to implement the judgment and payments are made. In all fairness, learned counsel for the applicant submits that the payments are made but while giving promotions from the date S/Shri K.V. Nayar and H.K. Pawar were given consequential benefits and there were discrepancies so incurred for which the applicant has filed representation before the concerned Respondent i.e. Respondent No.2 on 24.11.2001 which has not been disposed of. At this juncture on behalf of the respondents pointed that the discrepancies so raised cannot be said to be a matter of contempt and that way the same to be rather brought and a direction should be given to the respondents to settle the matter by giving opportunity to the applicant to be heard within a stipulated time.

2. After hearing the both sides, we find that there is much substance in the arguments so advanced on behalf of the respondents and that way this contempt petition so filed stands ~~withdrawn~~ <sup>discharged</sup> with a direction to the respondents concerned i.e. Respondent No.2 as to dispose of the matter in connection with the representation so filed on 24.11.2001 within a period of 60 days from the date of receipt of this order by giving an opportunity to the applicant also to be heard if so required. The

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representation be disposed of by passing a speaking order. The Contempt Petition stands disposed of, with no order as to costs.

3. After dictating the order a prayer is made on behalf of the applicant <sup>was</sup> that to grant liberty to file O.A. once again if being not satisfied with the order so passed on the representation, <sup>the applicant shall be</sup> <sub>at liberty to do so, if required.</sub>

*Shanta*

( Smt. Shanta Shastry )  
Member (A)

( B.N. Singh Neelam )  
Vice Chairman.

H.