

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
MUMBAI BENCH 'GULESTAN' BUILDING NO:6
PRESCOT ROAD, MUMBAI

C.P. 19/99 in
Original Application No.1065/98

Monday the 31st day of May 1999.

CORAM:Hon'ble Shri Justice R.G.Vaidyanatha, Vice Chairman
Hon'ble Shri D.S.Baweja, Member (A).

Ravendra Mohan Dayal ... Applicant.

Applicant in person.

V/s.

Union of India and others. ... Respondents.

By Advocate Shri V.S.Masurkar.

O R D E R (ORAL)

(Per Shri Justice R.G.Vaidyanatha, Vice Chairman)

C.P. 19/99 has been filed by the applicant alleging that the respondents have not complied with the order of the Tribunal dated 19.2.1999. The respondents have filed reply opposing the C.P. We have heard applicant in person and Shri V.S. Masurkar counsel for respondent No.1.

2. After hearing both sides we find that in pursuance of the order of the Tribunal dated 19.2.1999, the respondents have passed an order dated 5.5.1999 rejecting the claim of the applicant for promotion.

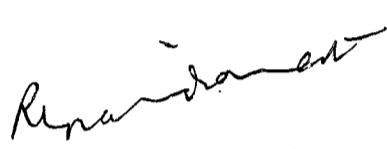
The question is whether the respondents have passed a speaking order in respect of the applicant or not. If once such a speaking order is passed by the Competent Authority then there is no question of contempt. The question whether the order of Competent authority is right or wrong is not a matter which can be gone into while hearing a contempt Petition. If the

: 2 :

applicant is aggrieved by the order of the administration certainly it cannot be gone into in a C.P. We find that the Competent Authority has passed an order dated 5.5.1999 with some reasons that the applicant is not entitled to promotion.

3. In view of the above reasons the C.P. is disposed of. This order is without prejudice to the right of the applicant in challenging the order of the Competent Authority dated 5.5.1999 as per law.


(D.S. Baweja)
Member (A)


(R.G. Vaidyanatha)
Vice Chairman

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