

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL,

JAIPUR BENCH, JAIPUR.

C.P.No.4/92 in  
TA No.607/86.

Date of Order: 26th March, 1992.

Babu Lal Vyas - Applicant.  
Mr. K.L. Thawani - Counsel for the Applicant.  
Vs.  
S.P. Gupta - Respondent.

CORAM:

1. The Hon'ble Mr. Kaushal Kumar - Vice Chairman.
2. The Hon'ble Mr. Gopal Krishna - Member (Judl.).

Mr. Kaushal Kumar, Vice Chairman.

In the contempt petition, the prayer made is that the respondents should be punished for dis-obeying the order of the Tribunal dated 19th December, 1991, in T.A.No.607/86.

2. The operative portion of the order dated 19th December, 1991, is extracted below :-

"2. It is not denied by the respondents that a copy of the inquiry report was not furnished to the delinquent official before imposition of the penalty and the same is liable to be quashed on this ground as held by the Supreme Court. Accordingly, we hereby set aside the order dt.8th/21st June, '82 passed by the disciplinary authority, order dated 17/3/1983 of the Appellate Authority and the order dated 26th October, 1983 passed by the revisional authority. However, this will not preclude the disciplinary authority from revising the proceedings and continuing with it in accordance with law from the stage of supply of the enquiry report to the applicant and giving him an opportunity of making a representation to the disciplinary authority".

3. The learned counsel Shri Thawani contends that instead of reinstating the applicant in service, the respondent has placed the applicant under suspension with effect from the date of his compulsory retirement i.e. 21.6.82 (A/N) on the ground that disciplinary proceedings are contemplated against him. It is noticed from the letter dated 3rd March, 1992, filed as Annexure A-3 with

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the contempt petition that a copy of the inquiry report has also been sent to the delinquent official. In the circumstances, we do not find that the respondents have committed any contempt. The present contempt petition is not maintainable and the same is dismissed.

*G.Krishna 26-3-92*  
(GOPAL KRISHNA)  
MEMBER (JUDL.)

*K. Kaushal 26/3/92*  
(KAUSHAL KUMAR)  
VICE CHAIRMAN.