

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL : HYDERABAD BENCH
 AT : HYDERABAD

Contempt Petition No.37 of 1990

Dt. of Decision: 6-3-1991

in

O.A.No. 924 of 1989

Between:-

M.Jaya Kumar ..

Applicant/Applicant

and

1. Union of India, rep. by Sri Kailas Prakash Secretary, Ministry of Communications, New Delhi.
2. Sri Kailash Prakash, Director-General, Department of Posts Dak Tar Bhavan, New Delhi-1.
3. Sri C.P.Thomas, Chief Postmaster General, Andhra Pradesh Circle, Hyderabad-500001.
4. Post Master General, Gujarat Circle, Ahmedabad-380009.
5. Sri S.Brahmanandam, Post Master General, Vijayawada-530002, Krishna District.
6. Sri J.V.Punnarao, Sr.Superintendent of Post Offices, Prakasam Division, Ongole-523001, Prakasam District.

.. . Respondents/Respondents

Appearance:

For the Applicant : Shri T.Jayant, Advocate.

For the Respondents : Shri Naram Bhaskar Rao, Addl.CGSC.

CORAM:

THE HONOURABLE SHRI B.N.JAYASIMHA, VICE-CHAIRMAN.

THE HONOURABLE SHRI D.SURYA RAO, MEMBER(JUDICIAL).

(ORDER OF THE DIVISION BENCH DELIVERED BY HON'BLE)
 SHRI D.SURYA RAO, MEMBER(J).

1. The applicant in this Contempt Petition is the applicant in O.A.924 of 1989. This O.A. was allowed

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on 7-2-1990 by this Tribunal with the following direction:-

7. Applying the above observations at conclusion No.4, the application has to be allowed. Accordingly the respondents are directed to implement the orders issued in the Director-General, New Delhi's letter dated 15-12-1988 allotting the applicant to Gujarat Circle and the order posting him as Superintendent of Post Offices, RK Division, Palampur, in Gujarat Circle, vide Memo dated 6-2-1989. It is made clear that this order is not a bar to the respondents from continuing the disciplinary proceedings or to impose the penalty after the conclusion of the disciplinary proceedings on the applicant in the promoted post.

The applicant's grievance is that till today this order has not been implemented. Hence he has filed the present Contempt Petition.

2. On behalf of the respondents a counter has been filed stating that against the order of this Tribunal in O.A.924 of 1989, an SLP has been filed in the Supreme Court and it was numbered as SLP No.7538 of 1990 and the Supreme Court was pleased to grant special leave against the order of this Tribunal. In the circumstances, it is contended that in view of the admission of the Special Leave Petition, the contempt petition may be dismissed.

3. We have heard Shri T.Jayant, learned Counsel for the applicant, and Shri Naram Bhaskara Rao, learned Standing Counsel for the Respondents.

4. It is clear from the order of the Supreme Court dated 23-7-1990 in Special Leave to Appeal Petition

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No. 7538/1990 that no stay of implementation of the orders of this Tribunal has been ordered. It follows that mere admission of the Appeal does not operate as stay of the order of the Tribunal. Respondents are, therefore, directed to implement the orders of the dt. 7-2-1990 passed in O.A. 924/1989 Tribunal within one month from the date of receipt of contempt this order. The application is disposed of with this direction. No order as to costs.

(Dictated in the Open Court)

B.N.Jayasimha
(B.N.JAYASIMHA)
VICE-CHAIRMAN

D.Surya Rao
(D.SURYA RAO
MEMBER (JUDICIAL))

Date: 6-3-1991

8/8/391
Deputy Registrar (A)

To

1. **nsr**
1. Sri Kailas Prakash, Secretary, Ministry of Communications, Union of India, New Delhi.
2. Sri Kailash Prakash, Director-General, Department of Posts, Daktar Bhavan, New Delhi-1.
3. Sri C.P.Thomas, Chief Post Master General, Andhra Pradesh Circle, Hyderabad-1.
4. Post Master General, Gujarat Circle, Ahmedabad -9
5. Sri S.Brahmanandam, Post Master General, Vijayawada -2, Krishna Dist.
6. Sri J.V.Punnarao, Sr.Superintendent of Post Offices, Prakasam Division Ongole - 1, Prakasam Dist.
7. One copy to Mr.T.Jayant, Advocate, CAT Hyd.Bench.
8. One copy to Mr. N.Bhaskar Rao, Addl. CGSC. CAT.Hyd.Bench.
9. One spare copy.

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